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MILITARY LAWS

OF THE

CONFEDERATE STATES,

EMBRACING ALL THE

LEGISLATION OF CONGRESS APPERTAINING TO MILITARY AFFAIRS FROM THE FIRST TO THE LAST SESSION INCLUSIVE,

WITH A COPIOUS INDEX.

J. W. RANDOLPH:
121 MAIN STREET, RICHMOND, VA.,
1863.

Entered according to Act of Congress in the year 1862, by

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MILITARY LAWS.

AN ACT to Provide Munitions of War and for other purposes.

SECTION 1. *Be it enacted by the Confederate States of America in Congress Assembled*, That the President, or the Secretary of War under his direction, is hereby authorized and empowered to make contracts for the purchase and manufacture of heavy ordnance and small arms; and of machinery for the manufacture or alteration of small arms and munitions of war; and to employ the necessary agents and artisans for these purposes; and to make contracts for the establishment of powder mills and the manufacture of powder; and the President is authorized to make contracts provided for in this act, in such manner and on such terms as in his judgment the public exigencies may require.

APPROVED February 20, 1861.

AN ACT for the Establishment and Organization of a General Staff for the Army of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That from and after the passing of this act, the general staff of the army of the Confederate States shall consist of an Adjutant and Inspector-General's Department, Quartermaster General's Department, Subsistence Department, and the Medical Department.

SEC. 2. *Be it further enacted*, That the Adjutant and Inspector General's Department shall consist of one Adjutant and Inspector General with the rank of colonel, four Assistant Adjutants General with the rank of major, and four Assistant Adjutants General with the rank of captain.

SEC. 3. *Be it further enacted*, That the Quartermaster General's Department shall consist of one Quartermaster General with the rank of colonel, six Quartermasters with the rank of major; and as many Assistant Quartermasters as may from time to time be required by the service may be detailed by the War Department from the subalterns of the line, who, in addition to their pay in the line, shall receive twenty dollars per month while engaged in that

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service. The quartermasters herein provided for shall also discharge the duties of Paymasters, under such regulations as may be prescribed by the Secretary of War.

Sec. 4. *Be it further enacted*, That the Commissary General's Department shall consist of one Commissary General with the rank of colonel, four Commissaries with the rank of captain; and as many Assistant Commissaries as may from time to time be required by the service may be detailed by the War Department from the subalterns of the line, who, in addition to their pay in the line, shall receive twenty dollars per month while engaged in that service. The assistant quartermasters and assistant commissaries shall be subject to duties in both departments at the same time, but shall not receive the additional compensation but in one department.

Sec. 5. *Be it further enacted*, That the Medical Department shall consist of one Surgeon General with the rank of colonel, four Surgeons with the rank of major, and six Assistant Surgeons with the rank of captain; and as many Assistant Surgeons as the service may require may be employed by the Department of War, and receive the pay of assistant surgeons.

Sec. 6. *Be it further enacted*, That the officers of the Adjutant General's, Quartermaster General's, and Commissary General's Department, though eligible to command, according to the rank they hold in the army of the Confederate States of America, shall not assume command of troops, unless put on duty under orders which specially so direct by authority of the President. The officers of the Medical Department shall not exercise command except in their own department.

Sec. 7. *Be it further enacted*, That the staff officers herein provided for shall be appointed by the President, by and with the advice and consent of the Congress, and shall receive such pay and allowances as shall be hereafter established by law.

Approved February 26, 1861.

An Act to raise Provisional Forces for the Confederate States of America, and for other purposes.

Section 1. *The Congress of the Confederate States of America do enact*, That to enable the government of the Confederate States to maintain its jurisdiction over all questions of peace and war, and to provide for the public defence, the President be and he is hereby authorized and directed to assume control of all military operations in every State, having reference to or connection with questions between said States, or any of them, and powers foreign to them.

Sec. 2. *And be it further enacted*, That the President is hereby authorized to receive from the several States the arms and munitions of war which have been acquired from the United States, and which are now in the forts, arsenals and navy yards, of the said States, and all other arms and munitions which they may desire to turn over and make chargeable to this government.

Sec. 3. *Be it further enacted*, That the President be authorized to receive into the service of this government such forces now in the service of said States as may be tendered, or who may volunteer, by consent of their State, in such numbers as he may require, for any time not less than twelve months, unless sooner discharged.

Sec. 4. *Be it further enacted*, That such forces may be received, with their officers, by companies, battalions, or regiments, and when so received shall form a part of the Provisional Army of the Confederate States, according to the terms of their enlistment; and the President shall appoint, by and with the advice and consent of Congress, such general officer or officers for said forces as may be necessary for the service.

Sec. 5. *Be it further enacted*, That said forces, when received into the service of this government, shall have the same pay and allowances as may be provided by law for volunteers entering the service, or for the army of the Confederate States, and shall be subject to the same rules and government.

Approved February 28, 1861.

An Act to provide for the Public Defence.

Section 1. *The Congress of the Confederate States of America do enact*, That in order to provide speedily forces to repel invasion, maintain the rightful possession of the Confederate States of America in every portion of territory belonging to each State, and to secure the public tranquility and independence against threatened assault, the President be and he is hereby authorized to employ the militia, military and naval forces of the Confederate States of America, and to ask for and accept the services of any number of volunteers, not exceeding one hundred thousand, who may offer their services, either as cavalry, mounted riflemen, artillery, or infantry, in such proportion of these several arms as he may deem expedient, to serve for twelve months after they shall be mustered into service, unless sooner discharged.

Sec. 2. *And be it further enacted*, That the militia, when called into service by virtue of this act or any other act, if in the opinion of the President the public interest requires, may be compelled to serve for a term not exceeding six months after they shall be mustered into service, unless sooner discharged.

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SEC. 3. *And be it further enacted*, That said volunteers shall furnish their own clothes, and, if mounted men, their own horses and horse equipments; and when mustered into service, shall be armed by the States from which they come, or by the Confederate States of America.

SEC. 4. *And be it further enacted*, That said volunteers shall, when called into actual service, and while remaining therein, be subject to the rules and articles of war, and instead of clothing, every non-commissioned officer and private in any company shall be entitled, when called into actual service, to money in a sum equal to the cost of clothing of a non-commissioned officer or private in the regular army of the Confederate States of America.

SEC. 5. *And be it further enacted*, That the said volunteers so offering their services may be accepted by the President in companies, squadrons, battalions, and regiments, whose officers shall be appointed in the manner prescribed by law in the several States to which they shall respectively belong; but when inspected, mustered, and received into the service of the Confederate States, said troops shall be regarded in all respects as a part of the army of said Confederate States, according to the terms of their respective enlistments.

SEC. 6. *And be it further enacted*, That the President is hereby authorized to organize companies so tendering their services into battalions or squadrons, battalions or squadrons into regiments, regiments into brigades, brigades into divisions, whenever in his judgment such organization may be expedient; and whenever brigades or divisions shall be organized, the President shall appoint the commanding officers for such brigades and divisions, subject to the confirmation of Congress, who shall hold their offices only while such brigades and divisions are in service; and the President shall, if necessary, apportion the staff and general officers among the respective States from which the volunteers shall tender their services, as he may deem proper.

SEC. 7. *And be it further enacted*, That whenever the militia or volunteers are called and received into the service of the Confederate States, under the provisions of this act, they shall have the same organization, and shall have the same pay and allowances as may be provided for the regular army; and all mounted non-commissioned officers, privates, musicians, and artificers, shall be allowed forty cents per day for the use and risk of their horses; and if any volunteer shall not keep himself provided with a serviceable horse, such volunteer shall serve on foot. For horses killed in action, volunteers shall be allowed compensation according to their appraised value at the date of muster into service.

SEC. 8. *And be it further enacted*, That the field and staff officers of a separate battalion of volunteers shall be one lieutenant-colonel

major, one adjutant with the rank of lieutenant, one sergeant-major, one quartermaster-sergeant, and a chief bugler or principal musician, according to corps; and that each company shall be entitled to an additional 2d lieutenant; and that the President may limit the privates in any volunteer company, according to his discretion, at from sixty-four to one hundred.

SEC. 9. *And be it further enacted*, That when volunteers or militia are called into the service of the Confederate States in such numbers that the officers of the quartermaster, commissary, and medical departments, which may be authorized by law for the regular service, are not sufficient to provide for the supplying, quartering, transporting, and furnishing them with the requisite medical attendance, it shall be lawful for the President to appoint, with the advice and consent of the Congress, as many additional officers of said departments as the service may require, not exceeding one commissary and one quartermaster for each brigade, with the rank of major, and one assistant quartermaster with the rank of captain, one assistant commissary with the rank of captain, one surgeon and one assistant surgeon for each regiment; the said quartermasters and commissaries, assistant quartermasters and commissaries, to give bonds with good sureties for the faithful performance of their duties, the said officers to be allowed the same pay and emoluments as shall be allowed to officers of the same grade in the regular service, and to be subject to the rules and articles of war, and to continue in service only so long as their services may be required in connection with the militia or volunteers.

SEC. 10. *And be it further enacted*, That the President be and he is hereby authorized to purchase or charter, arm, equip, and man such merchant vessels and steamships, or boats, as may be found fit or easily converted into armed vessels, and in such number as he may deem necessary for the protection of the sea-board and the general defence of the country.

APPROVED March 6, 1861.

AN ACT for the establishment and organization of the Army of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That from and after the passage of this act the military establishment of the Confederate States shall be composed of one corps of engineers, one corps of artillery, six regiments of infantry, one regiment of cavalry, and of the staff departments already established by law.

SEC. 2. The corps of engineers shall consist of one colonel, four majors, five captains, and one company of sappers, miners, and pon-

toniers, which shall consist of ten sergeants or master workmen, ten corporals or overseers, two musicians, and thirty-nine privates of the first class, or artificers, and thirty-nine privates of the second class, or laborers, making in all one hundred.

SEC. 3. The said company shall be officered by one captain of the corps of engineers, and as many lieutenants, to be selected by the President from the line of the army, as he may deem necessary for the service, and shall be instructed in and perform all the duties of sappers, miners, and pontoniers, and shall, moreover, under the orders of the chief engineer, be liable to serve by detachments in overseeing and aiding laborers upon fortifications or other works, under the engineer department, and in supervising finished fortifications, as fortkeepers, preventing injury and making repairs.

SEC. 4. It shall be the duty of the colonel of the engineer corps, subject to the approval of the Secretary of War, to prescribe the number, quantity, form, dimensions, &c., of the necessary vehicles, arms, pontons, tools, implements, and other supplies for the service of said company as a body of sappers, miners, and pontoniers.

SEC. 5. The corps of Artillery, which shall also be charged with ordnance duties, shall consist of one colonel, one lieutenant colonel, ten majors, and forty companies of artillerists and artificers, and each company shall consist of one captain, two first lieutenants, one second lieutenant, four sergeants, four corporals, two musicians, and seventy privates. There shall also be one adjutant, to be selected by the colonel from the first lieutenants, and one sergeant-major, to be selected from the enlisted men of the corps. The President may equip as light batteries, of six pieces each, such of these companies as he may deem expedient, not exceeding four in time of peace.

SEC. 6. Each regiment of infantry shall consist of one colonel, one lieutenant-colonel, one major and ten companies; each company shall consist of one captain, one first lieutenant, two second lieutenants, four sergeants, four corporals, two musicians, and ninety privates; and to each regiment there shall be attached one adjutant, to be selected from the lieutenants, and one sergeant-major, to be selected from the enlisted men of the regiment.

SEC. 7. The regiment of cavalry shall consist of one colonel, one lieutenant-colonel, one major, and ten companies, each of which shall consist of one captain, one first lieutenant, two second lieutenants, four sergeants, four corporals, one farrier, one blacksmith, two musicians, and sixty privates. There shall also be one adjutant and one sergeant-major, to be selected as aforesaid.

SEC. 8. There shall be four brigadier-generals, who shall be assigned to such commands and duties as the President may specially

direct, and shall be entitled to one aid-de-camp each, to be selected from the subalterns of the line of the army, who, in addition to their duties as aids-de-camp, may perform the duties of assistants adjutant-general.

SEC. 9. All officers of the army shall be appointed by the President, by and with the advice and consent of the Congress, and the rank and file shall be enlisted for a term not less than three nor more than five years, under such regulations as may be established.

SEC. 10. No officer shall be appointed in the army until he shall have passed an examination satisfactory to the President, and in such manner as he may prescribe, as to his character and fitness for the service. The President, however, shall have power to postpone this examination for one year after appointment, if in his judgment necessary for the public interest.

SEC. 11. All vacancies in established regiments and corps, to and including the rank of colonel, shall be filled by promotion according to seniority, except in case of disability or other incompetency. Promotions to and including the rank of colonel shall be made regimentally in the infantry and cavalry, in the staff departments, and in the engineers and artillery, according to corps. Appointments to the rank of brigadier-general, after the army is organized, shall be made by selection from the army.

SEC. 12. The President of the Confederate States is hereby authorized to appoint to the lowest grade of subaltern officers such meritorious non-commissioned officers as may, upon the recommendation of their colonels and company officers, be brought before an army board, specially convened for the purpose, and found qualified for the duties of commissioned officers, and to attach them to regiments or corps, as supernumerary officers, if there be no vacancies: *Provided*, There shall not be more than one so attached to any one company at the same time.

SEC. 13. The pay of a brigadier-general shall be three hundred and one dollars per month. The aid-de-camp of a brigadier-general, in addition to his pay as lieutenant, shall receive thirty-five dollars per month.

SEC. 14. The monthly pay of the officers of the corps of engineers shall be as follows: of the colonel, two hundred and ten dollars; of a major, one hundred and sixty-two dollars; of a captain, one hundred and forty dollars; lieutenants serving with the company of sappers and miners shall receive the pay of cavalry officers of the same grade.

SEC. 15. The monthly pay of the colonel of the corps of artillery shall be two hundred and ten dollars; of a lieutenant-colonel, one hundred and eighty-five dollars; of a major, one hundred and

fifty dollars, and when serving on ordnance duty, one hundred and sixty-two dollars; of a captain, one hundred and thirty dollars; of a first lieutenant, ninety dollars; of a second lieutenant, eighty dollars, and the adjutant shall receive in addition to his pay as lieutenant, ten dollars per month. Officers of artillery serving in the light artillery, or performing ordnance duty, shall receive the same pay as officers of cavalry of the same grade.

Sec. 16. The monthly pay of the officers of the infantry shall be as follows: of a colonel, one hundred and ninety-five dollars; of a lieutenant-colonel, one hundred and seventy dollars; of a major, one hundred and fifty dollars; of a captain, one hundred and thirty dollars; of a first lieutenant, ninety dollars; of a second lieutenant, eighty dollars; the adjutant in addition to his pay as lieutenant, ten dollars.

Sec. 17. The monthly pay of the officers of the cavalry shall be as follows: of a colonel, two hundred and ten dollars; of a lieutenant colonel, one hundred and eighty-five dollars; a major, one hundred and sixty-two dollars; a captain, one hundred and forty dollars; a first lieutenant, one hundred dollars; a second lieutenant, ninety dollars; the adjutant, ten dollars per month, in addition to his pay as lieutenant.

Sec .18. The pay of the officers of the general staff, except those of the medical department, shall be the same as that of officers of cavalry of the same grade. The surgeon-general shall receive an annual salary of three thousand dollars, which shall be in full of all pay and allowances, except fuel and quarters. The monthly pay of a surgeon of ten years' service in that grade, shall be two hundred dollars; a surgeon of less than ten years' service in that grade, one hundred and sixty-two dollars; an assistant surgeon of ten years' service in that grade, one hundred and fifty dollars; an assistant surgeon of five years' service in that grade, one hundred and thirty dollars; and an assistant surgeon of less than five years' service, one hundred and ten dollars.

Sec. 19. There shall be allowed, in addition to the pay hereinbefore provided, to every commissioned officer, except the surgeon-general, nine dollars per month for every five years' service; and to the officers of the army of the United States, who have resigned or may resign to be received into the service of the Confederate States, this additional pay shall be allowed from the date of their entrance into the former service. There shall also be an additional monthly allowance to every general officer commanding in chief a separate army actually in the field, of one hundred dollars.

Sec. 20. The pay of officers as hereinbefore established shall be in full of all allowances except forage, fuel, quarters, and traveling expenses while traveling under orders. The allowance of forage,

fuel, and quarters, shall be fixed by regulations and shall be furnished in kind, except when officers are serving at stations without troops, where public quarters cannot be had, in which case they may be allowed, in lieu of forage, eight dollars per month for each horse to which they may be entitled, provided they are actually kept in service and mustered, and quarters may be commuted at a rate to be fixed by the Secretary of War, and fuel at the market price delivered. An officer when traveling under orders shall be allowed mileage at the rate of ten cents per mile.

SEC. 21. In time of war, officers of the army shall be entitled to draw forage for horses, according to grade, as follows: A brigadier-general, four; the adjutant and inspector-general, quartermaster-general, commissary-general, and the colonels of engineers, artillery, infantry, and cavalry, three each; all lieutenant-colonels and majors, and captains of the general staff, engineer corps, light artillery, and cavalry, three each; lieutenants serving in the corps of engineers, lieutenants of light artillery and cavalry two each. In time of peace: general and field officers, three; officers below the rank of field officers, in the general staff, corps of engineers, light artillery and cavalry, two: *Provided* in all cases that the horses are actually kept in service and mustered. No enlisted man in the service of the Confederate States shall be employed as a servant by an officer of the army.

SEC. 22. The monthly pay of the enlisted men of the army of the Confederate States shall be as follows: That of a sergeant or master workman of the engineer corps, thirty-four dollars; that of a corporal or overseer, twenty dollars; privates of the first class, or artificers, seventeen dollars; and privates of the second class, or laborers, and musicians, thirteen dollars. The sergeant-major of cavalry, twenty-one dollars; first-sergeants, twenty dollars; sergeants, seventeen dollars; corporals, farriers and blacksmiths, thirteen dollars; musicians, thirteen dollars; and privates, twelve dollars. Sergeants-major of artillery and infantry, twenty-one dollars; first sergeants, twenty dollars each; sergeants, 17 dollars; corporals and artificers, thirteen dollars; musicians, twelve dollars; and privates eleven dollars each. The non-commissioned officers, artificers, musicians, and privates serving in light batteries, shall receive the same pay as those of cavalry.

SEC. 23. The President shall be authorized to enlist as many master armorers, master carriage-makers, master black-smiths, armorers, carriage-makers, black-smiths, artificers, and laborers, for ordnance service, as he may deem necessary, not exceeding in all one hundred men, who shall be attached to the corps of artillery. The pay of a master armorer, master carriage-maker, master blacksmith, shall be thirty-four dollars per month; armorers, carriage-

makers, and blacksmiths, twenty dollars per month; artificers, seventeen dollars, and laborers, thirteen dollars per month.

SEC. 24. Each enlisted man of the army of the Confederate States shall receive one ration per day, and a yearly allowance of clothing, the quantity and kind of each to be established by regulations from the War Department, to be approved by the President.

SEC. 25. Rations shall generally be issued in kind, but under circumstances rendering a commutation necessary, the commutation value of the ration shall be fixed by regulations of the War Department, to be approved by the President.

SEC. 26. The officers appointed in the army of the Confederate States by virtue of this act, shall perform all military duties to which they may be severally assigned by authority of the President, and it shall be the duty of the Secretary of War to prepare and publish regulations, prescribing the details of every department in the service, for the general government of the army, which regulations shall be approved by the President, and when so approved shall be binding.

SEC. 27. All officers of the quartermaster's and commissary departments shall, previous to entering on the duties of their respective offices, give bonds with good and sufficient sureties to the Confederate States, in such sum as the Secretary of War shall direct, fully to account for all moneys and public property which they may receive.

SEC. 28. Neither the quartermaster-general, the commissary-general, nor any or either of their assistants, shall be concerned, directly or indirectly, in the purchase or sale of any articles, intended for, making a part of, or appertaining to public supplies, except for and on account of the Confederate States; nor shall they, or either of them, take or apply to his or their own use any gain or emolument for negotiating any business in their respective departments, other than what is or may be allowed by law.

SEC. 29. The Rules and Articles of War established by the laws of the United States of America for the government of the army are hereby declared to be of force, except that wherever the words "United States" occur, the words "Confederate States" shall be substituted therefor; and except that the articles of war numbers sixty-one and sixty-two are hereby abrogated, and the following articles substituted therefor:

ARTICLE 61. Officers having brevets or commissions of a prior date to those of the corps in which they serve will take place on courts-martial or of inquiry, and on boards detailed for military purposes, when composed of different corps, according to the ranks given them in their brevet or former commissions, but in the regi-

ment, corps, or company to which such officers belong, they shall do duty and take rank, both in courts and on boards as aforesaid, which shall be composed of their own corps, according to the commission by which they are there mustered.

ARTICLE 62. If, upon marches, guards, or in quarters, different corps shall happen to join or do duty together, the officer highest in rank, according to the commission by which he is mustered in the army, navy, marine corps, or militia, there on duty by orders from competent authority, shall command the whole and give orders for what is needful for the service, unless otherwise directed by the President of the Confederate States in orders of special assignment providing for the case.

SEC. 30. The President shall call into the service of the Confederate States only so many of the troops herein provided for as he may deem the safety of the Confederacy may require.

SEC. 31. All laws or parts of laws of the United States, which have been adopted by the Congress of the Confederate States, repugnant to or inconsistent with this act, are hereby repealed.

APPROVED March 6, 1861.

AN ACT making appropriations for the support of Three Thousand Men for twelve months, to be called into service at Charleston, South Carolina, under the third and fourth sections of an Act of the Congress "To raise Provisional Forces for the Confederate States of America and for other purposes."

SECTION 1. *The Congress of the Confederate States of America do enact*, That the following appropriations be made for the support of the provisional troops called into service by the act aforesaid: Pay of the troops, six hundred and fifty-eight thousand six hundred and eighty dollars. Forage for officers' horses and quartermaster's animals and cavalry horses, twenty thousand six hundred and sixty-two dollars. Subsistence for troops, two hundred and seventy thousand dollars. Clothing for the troops, two hundred thousand dollars. Camp and garrison equipage, eighteen thousand two hundred and sixty-seven dollars and seventy-two cents. Supplies for the quartermaster's department, seventy-six thousand one hundred and sixty dollars. Fuel for troops and hospitals, fifty-nine thousand nine hundred and ninety-seven dollars; medical and hospital department, twenty thousand dollars.

SEC. 2. *And be it further enacted*, That the additional sum of eight hundred and sixty thousand two hundred and twenty-eight dollars and forty-five cents is hereby appropriated for the support of two thousand additional troops to be called into the service of the Confederate States for twelve months, at Charleston, South

Carolina, whenever, in the discretion of the President, their services may be required.

Approved March 11, 1861.

An Act amendatory of an Act for the organization of the Staff Departments of the Army, and an Act for the establishment and organization of the Army of the Confederate States of America.

Section 1. *The Congress of the Confederate States of America do enact*, That the adjutant and inspector-general's department shall consist of two assistant adjutants-general with the rank of lieutenant-colonel, two assistant adjutants-general with the rank of major, and four assistant adjutants-general with the rank of captain.

Sec. 2. *Be it further enacted*, That there shall be added one brigadier-general to those heretofore authorized by law, and that any one of the brigadier-generals of the army of the Confederate States may be assigned to the duty of adjutant and inspector-general, at the discretion of the President.

Sec. 3. *Be it further enacted*, That the quarter-master-general's department shall consist of one quartermaster-general with the rank of colonel, one assistant quartermaster-general with the rank of lieutenant-colonel, four assistant quartermasters with the rank of major, and such other officers in that department as are already provided by law.

Sec. 4. *Be it further enacted*, That the commissary-general's department shall consist of one commissary-general with the rank of colonel, one commissary with the rank of lieutenant-colonel, one commissary with the rank of major, and three commissaries with the rank of captain; and as many assistant commissaries as may from time to time be required by the service may be detailed by the War Department from the subalterns of the line, who, in addition to their pay in the line, shall receive twenty dollars per month while engaged in that service.

Sec. 5. *Be it further enacted*, That in all cases of officers who have resigned, or who may within six months tender their resignations from the army of the United States, and who have been or may be appointed to original vacancies in the army of the Confederate States, the commissions issued shall bear one, and the same date, so that the relative rank of officers of each grade shall be determined by their former commissions in the United States army, held anterior to the secession of these Confederate States from the United States.

Sec. 6. *Be it further enacted*, That every officer, non-commissioned officer, musician and private, shall take and subscribe the

following oath or affirmation, to-wit: I, A. B., do solemnly swear or affirm (as the case may be) that while I continue in the service I will bear true faith and yield obedience to the Confederate States of America, and that I will serve them honestly and faithfully against their enemies, and that I will observe and obey the orders of the President of the Confederate States, and the orders of the officers appointed over me, according to the rules and articles of war.

SEC. 7. *Be it further enacted*, That all laws and parts of laws militating against this act be and the same are hereby repealed.

APPROVED March 14, 1861.

AN ACT to provide for the appointment of Chaplains in the Army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there shall be appointed by the President such number of chaplains, to serve with the armies of the Confederate States during the existing war, as he may deem expedient; and the President shall assign them to such regiments, brigades, or posts as he may deem necessary; and the appointments made as aforesaid shall expire whenever the existing war shall terminate.

SEC. 2. The monthly pay of said chaplains shall be eighty-five dollars; and said pay shall be in full of all allowances whatever.

APPROVED May 3, 1861.

AN ACT providing for a Regiment of Zouaves in the Army of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there shall be added to the military establishment of the Confederate States one regiment of Zouaves, to be composed of one colonel, one lieutenant-colonel, one major, and ten companies; and each company shall consist of one captain, one first lieutenant, two second lieutenants, one sergeant-major, one quartermaster's-sergeant, four sergeants, eight corporals, and ninety privates. And to the regiment there shall be attached one adjutant and a quartermaster, to be selected from the lieutenants. And one assistant surgeon shall be appointed for the regiment, in addition to those already authorized by law for the medical department. The monthly pay of the officers of the regiment of Zouaves shall be the same as that of officers of infantry of the same rank; the allowances shall also be the same as those provided by law for officers of infantry; and the adjutant and quartermaster shall receive ten dollars per month in addition to their pay as lieutenants. The monthly pay of the enlisted men of said regiment

of Zouaves shall be as follows: sergeants-major and quartermaster's-sergeants, twenty dollars; sergeants, seventeen dollars; corporals, thirteen dollars; and privates eleven dollars each; together with the same rations and allowance for clothing as are received by all other enlisted men.

Approved May 4, 1861.

An Act to raise an additional Military Force to serve during the War.

Section 1. *The Congress of the Confederate States of America do enact*, That in addition to the volunteer force authorized to be raised under existing laws, the President be and he is hereby authorized to accept the services of volunteers who may offer their services, without regard to the place of enlistment, either as cavalry, mounted riflemen, artillery, or infantry, in such proportion of these several arms as he may deem expedient, to serve for and during the existing war, unless sooner discharged.

Sec. 2. That the volunteers so offering their services may be accepted by the President in companies, to be organized by him into squadrons, battalions, or regiments. The President shall appoint all the field and staff officers, but the company officers shall be elected by the men composing the company; and if accepted, the officers so elected shall be commissioned by the President.

Sec. 3. That any vacancies occurring in the ranks of the several companies mustered into service under the provisions of this act, may be filled by volunteers accepted under the rules of such companies; and any vacancies occurring in the officers of such companies shall be filled by elections in accordance with the same rules.

Sec. 4. Except as herein differently provided, the volunteer forces hereby authorized to be raised shall in all regards be subject to and organized in accordance with the provisions of "An act to provide for the public defence," and all other acts for the government of the armies of the Confederate States.

Approved May 8, 1861.

An Act to make further provision for the Public Defence.

Whereas, War exists between the United States and the Confederate States; and whereas the public welfare may require the reception of volunteer forces into the service of the Confederate States, without the formality and delay of a call upon the respective States:

Section 1. *The Congress of the Confederate States of America do enact*, That the President be authorized to receive into the service such companies, battalions, or regiments, either mounted or

on foot, as may tender themselves, and he may require, without the delay of a formal call upon the respective States, to serve for such time as he may prescribe.

Sec. 2. Such volunteer forces who may be accepted under this act, except as herein differently provided, shall be organized in accordance with and subject to all the provisions of the act entitled "An act to provide for the public defence," and be entitled to all the allowances provided therein; and when mustered into service, may be attached to such divisions, brigades, or regiments as the President may direct, or ordered upon such independent or detached service as the President may deem expedient; provided, however, that battalions and regiments may be enlisted from States not of the Confederacy, and the President may appoint all or any of the field officers thereof.

Sec. 3. The President shall be authorized to commission all officers entitled to commissions, of such volunteer forces as may be received under the provisions of this act. And upon the request of the officer commanding such volunteer regiment, battalion, or company, the President may attach a supernumerary officer to each company, detailed from the regular army for that purpose, and for such time as the President may direct.

Approved May 11, 1861.

An Act to amend "An Act to provide for the Public Defence," approved March 6, 1861.

Section 1. *The Congress of the Confederate States of America do enact*, That the President may receive into the service of the Confederate States any company of light artillery, which by said act he is authorized to do, with such complement of officers and men, and with such equipments as to him shall seem proper; anything in said act of the 6th of March, 1861, to the contrary, notwithstanding.

Approved May 10, 1861.

An Act recognizing the existence of War between the United States and the Confederate States; and concerning Letters of Marque, Prizes, and Prize Goods.

Whereas, The earnest efforts made by this government to establish friendly relations between the government of the United States and the Confederate States, and to settle all questions of disagreement between the two governments upon principles of right, justice, equity, and good faith, have proved unavailing by reason of the refusal of the government of the United States to hold any

intercourse with the commissioners appointed by this government for the purposes aforesaid, or to listen to any proposals they had to make for the peaceful solution of all causes of difficulty between the two governments; and whereas, the President of the United States of America has issued his proclamation making requisition upon the States of the American Union for seventy-five thousand men for the purpose, as therein indicated, of capturing forts and other strongholds within the jurisdiction of and belonging to the Confederate States of America, and has detailed naval armaments upon the coasts of the Confederate States of America, and raised, organized, and equipped a large military force to execute the purpose aforesaid, and has issued his other proclamation announcing his purpose to set on foot a blockade of the ports of the Confederate States: and whereas, the State of Virginia has seceded from the Federal Union and entered into a convention of alliance offensive and defensive with the Confederate States, and has adopted the Provisional Constitution of the said States, and the States of Maryland, North Carolina, Tennessee, Kentucky, Arkansas, and Missouri, have refused, and it is believed that the State of Delaware and the inhabitants of the territories of Arizona and New Mexico, and the Indian territory South of Kansas, will refuse to co-operate with the government of the United States in these acts of hostilities and wanton aggression, which are plainly intended to overawe, oppress and finally subjugate the people of the Confederate States: and whereas, by the acts and means aforesaid, war exists between the Confederate States and the government of the United States, and the States and territories thereof, except the States of Maryland, North Carolina, Tennessee, Kentucky, Arkansas, Missouri, and Delaware, and the territories of Arizona and New Mexico, and the Indian territory South of Kansas: Therefore,

Section 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States is hereby authorized to use the whole land and naval force of the Confederate States to meet the war thus commenced, and to issue to private armed vessels commissions, or letters of marque and general reprisal, in such form as he shall think proper, under the seal of the Confederate States, against the vessels, goods, and effects of the government of the United States, and of the citizens or inhabitants of the States and territories thereof: *Provided, however*, That property of the enemy (unless it be contraband of war) laden on board a neutral vessel, shall not be subject to seizure under this act: *And provided further*, That vessels of the citizens or inhabitants of the United States now in the ports of the Confederate States, except such as have been since the 5th of April last, or may hereafter be, in the service of the government of the United States,

shall be allowed thirty days after the publication of this act to leave said ports and reach their destination; and such vessels and their cargoes, excepting articles contraband of war, shall not be subject to capture under this act during said period, unless they shall have previously reached the destination for which they were bound on leaving said ports.

SEC. 2. That the President of the Confederate States shall be and he is hereby authorized and empowered to revoke and annul, at pleasure, all letters of marque and reprisal which he may at any time grant pursuant to this act.

SEC. 3. That all persons applying for letters of marque and reprisal, pursuant to this act, shall state in writing the name and a suitable description of the tonnage and force of the vessel, and the name and place of residence of each owner concerned therein, and the intended number of the crew; which statement shall be signed by the person or persons making such application, and filed with the Secretary of State, or shall be delivered to any other officer or person who shall be employed to deliver out such commissions, to be by him transmitted to the Secretary of State.

SEC. 4. That before any commission or letters of marque and reprisal shall be issued as aforesaid, the owner or owners of the ship or vessel for which the same shall be requested, and the commander thereof for the time being, shall give bond to the Confederate States, with at least two responsible sureties not interested in such vessel, in the penal sum of five thousand dollars, or if such vessel be provided with more than one hundred and fifty men, then in the penal sum of ten thousand dollars, with condition that the owners, officers, and crew who shall be employed on board such commissioned vessel, shall and will observe the laws of the Confederate States, and the instructions which shall be given them according to law for the regulation of their conduct, and will satisfy all damages and injuries which shall be done or committed contrary to the tenor thereof, by such vessel during her commission, and to deliver up the same when revoked by the President of the Confederate States.

SEC. 5. That all captures and prizes of vessels and property shall be forfeited and shall accrue to the owners, officers, and crews of the vessels by whom such captures and prizes shall be made, and on due condemnation had, shall be distributed according to any written agreement which shall be made between them; and if there be no such written agreement, then one moiety to the owners and the other moiety to the officers and crew, as nearly as may be according to the rules prescribed for the distribution of prize money by the laws of the Confederate States.

SEC. 6. That all vessels, goods and effects, the property of any citizen of the Confederate States, or of persons resident within and

under the protection of the Confederate States, or of persons permanently within the territories and under the protection of any foreign prince, government or State in amity with the Confederate States, which shall have been captured by the United States, and which shall be re-captured by vessels commissioned as aforesaid, shall be restored to the lawful owners, upon payment by them of a just and reasonable salvage, to be determined by the mutual agreement of the parties concerned, or by the decree of any court having jurisdiction, according to the nature of the case, agreeably to the provisions established by law. And such salvage shall be distributed among the owners, officers, and crews of the vessels commissioned as aforesaid, and making such captures, according to any written agreement which shall be made between them; and in case of no such agreement, then in the same manner and upon the principles hereinbefore provided in cases of capture.

SEC. 7. That before breaking bulk of any vessel which shall be captured as aforesaid, or other disposal or conversion thereof, or of any articles which shall be found on board the same, such captured vessel, goods or effects, shall be brought into some port of the Confederate States, or of a nation or State in amity with the Confederate States, and shall be proceeded against before a competent tribunal; and after condemnation and forfeiture thereof shall belong to the owners, officers, and crew of the vessel capturing the same, and be distributed as before provided; and in the case of all captured vessels, goods and effects which shall be brought within the jurisdiction of the Confederate States, the district courts of the Confederate States shall have exclusive original cognizance thereof, as in civil causes of admiralty and maritime jurisdiction; and the said courts, or the courts, being courts of the Confederate States, into which such cases shall be removed, and in which they shall be finally decided, shall and may decree restitution in whole or in part, when the capture shall have been made without just cause. And if made without probable cause, may order and decree damages and costs to the party injured, for which the owners and commanders of the vessels making such captures, and also the vessels, shall be liable.

SEC. 8. That all persons found on board any captured vessels, or on board any re-captured vessel, shall be reported to the collector of the port in the Confederate States in which they shall first arrive, and shall be delivered into the custody of the marshal of the district, or some court or military officer of the Confederate States, or of any State in or near such port who shall take charge of their safe keeping and support, at the expense of the Confederate States.

SEC. 9. That the President of the Confederate States is hereby authorized to establish and order suitable instructions for the bet-

ter governing and directing the conduct of the vessels so commissioned, their officers and crews, copies of which shall be delivered by the collector of the customs to the commanders, when they shall give bond as provided.

SEC. 10. That a bounty shall be paid by the Confederate States of $20 for each person on board any armed ship or vessel belonging to the United States at the commencement of an engagement, which shall be burnt, sunk, or destroyed by any vessel commissioned as aforesaid, which shall be of equal or inferior force, the same to be divided as in other cases of prize money; and a bounty of $25 shall be paid to the owners, officers, and crews of the private armed vessels commissioned as aforesaid, for each and every prisoner by them captured and brought into port, and delivered to an agent authorized to receive them, in any port of the Confederate States; and the Secretary of the Treasury is hereby authorized to pay or cause to be paid to the owners, officers, and crews of such private armed vessels commissioned as aforesaid, or their agent, the bounties herein provided.

SEC. 11. That the commanding officer of every vessel having a commission or letters of marque and reprisal, during the present hostilities between the Confederate States and the United States, shall keep a regular journal, containing a true and exact account of his daily proceedings and transactions with such vessel and the crew thereof; the ports and places he shall put into or cast anchor in; the time of his stay there and the cause thereof; the prizes he shall take and the nature and probable value thereof; the times and places when and where taken, and in what manner he shall dispose of the same; the ships or vessels he shall fall in with; the times and places when and where he shall meet with them, and his observations and remarks thereon; also, of whatever else shall occur to him or any of his officers or marines, or be discovered by examination or conference with any marines or passengers of or in any other ships or vessels, or by any other means touching the fleets, vessels, and forces of the United States, their posts and places of station and destination, strength, numbers, intents, and designs; and such commanding officer shall, immediately on his arrival in any port of the Confederate States, from or during the continuance of any voyage or cruise, produce his commission for such vessel, and deliver up such journal so kept as aforesaid, signed with his proper name and hand-writing, to the collector or other chief officer of the customs at or nearest to such port; the truth of which journal shall be verified by the oath of the commanding officer for the time being. And such collector or other chief officer of the customs shall, immediately on the arrival of such vessel, order the proper officer of the customs to go on board and take an

account of the officers and men, the number and nature of the guns, and whatever else shall occur to him on examination material to be known; and no such vessel shall be permitted to sail out of port again until such journal shall have been delivered up, and a certificate obtained under the hand of such collector or other chief officer of the customs that she is manned and armed according to her commission; and upon delivery of such certificate, any former certificate of a like nature which shall have been obtained by the commander of such vessel shall be delivered up.

SEC. 12. That the commanders of vessels having letters of marque and reprisal as aforesaid, neglecting to keep a journal as aforesaid, or willfully making fraudulent entries therein, or obliterating the record of any material transaction contained therein, where the interest of the Confederate States is concerned, or refusing to produce and deliver such journal, commission or certificate, pursuant to the preceeding section of this act, then and in such cases the commissions or letters of marque and reprisal of such vessels shall be liable to be revoked; and such commanders respectively shall forfeit for every such offense the sum of $1,000, one moiety thereof to the use of the Confederate States, and the other to the informer.

SEC. 13. That the owners or commanders of vessels having letters of marque and reprisal as aforesaid, who shall violate any of the acts of Congress for the collection of the revenue of the Confederate States, and for the prevention of smuggling, shall forfeit the commission or letters of marque and reprisal, and they and the vessels owned or commanded by them shall be liable to all the penalties and forfeitures attaching to merchant vessels in like cases.

SEC. 14. That on all goods, wares and merchandise captured and made good and lawful prizes of war, by any private armed ship having commission or letters of marque and reprisal under this act, and brought into the Confederate States, there shall be allowed a deduction of 33 1-3 per cent. on the amount of duties imposed by law.

SEC. 15. That five per centum on the net amount (after deducting all charges and expenditures) of the prize money arising from captured vessels and cargoes, and on the net amount of the salvage of vessels and cargoes re-captured by private armed vessels of the Confederate States, shall be secured and paid over to the collector or other chief officer of the customs, at the port or place in the Confederate States at which such captured or re-captured vessels may arrive, or to the consul or other public agent of the Confederate States residing at the port or place not within the Confederate States at which such captured or re-captured vessel may ar-

rive. And the moneys arising therefrom shall be held and are hereby pledged by the government of the Confederate States as a fund for the support and maintenance of the widows and orphans of such persons as may be slain, and for the support and maintenance of such persons as may be wounded and disabled on board of the private armed vessels commissioned as aforesaid, in any engagement with the enemy, to be assigned and distributed in such manner as shall hereafter be provided by law.

APPROVED May 6, 1861.

AN ACT to increase the Military establishment of the Confederate States, and to amend the "Act for the establishment and organization of the Army of the Confederate States of America."

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President shall be authorized to raise and organize, in addition to the present military establishment, one regiment of cavalry and two regiments of infantry, whenever in his judgment the public service may require such an increase, to be organized in accordance with existing laws for the organization of cavalry and infantry regiments, and to be entitled to the same pay and allowances provided for the same respectively.

SEC. 2. That the five general officers provided by existing laws for the Confederate States, shall have the rank and denomination of "General," instead of "Brigadier-General," which shall be the highest military grade known to the Confederate States. They shall be assigned to such commands and duties as the President may specially direct, and shall be entitled to the same pay and allowances as are provided for brigadier-generals, and to two aids-de-camp, to be selected as now provided by law. Appointments to the rank of general, after the army is organized, shall be made by selection from the army.

SEC. 3. That the President be authorized, whenever in his judgment the public service may require the increase, to add to the corps of engineers one lieutenant colonel, who shall receive the pay and allowances of a lieutenant colonel of cavalry, and as many captains, not exceeding five, as may be necessary.

SEC. 4. That there be added to the quartermaster general's department one assistant quartermaster general, with the rank of lieutenant colonel, and two quartermasters, with the rank of major; and to the commissary general's department, one assistant commissary, with the rank of major, and one assistant commissary, with the rank of captain; and to the medical department, six surgeons and fourteen assistant surgeons.

SEC. 5. That the President be authorized to appoint as many military store-keepers, with the pay and allowances of a first lieu-

tenant of infantry, as the safe-keeping of the public property may require, not to exceed in all six store-keepers.

SEC. 6. That there be added to the military establishment one quartermaster sergeant for each regiment of cavalry and infantry, and one ordnance sergeant for each military post, each to receive the pay and allowances of a sergeant major, according to existing laws.

SEC. 7. That there may be enlisted for the medical department of the army, for the term already provided by law for other enlisted men, as many hospital stewarts as the service may require, to be determined by the Secretary of War, under such regulations as he may prescribe, and who shall receive the pay and allowances of a sergeant major.

SEC. 8. That until a military School shall be established for the elementary instruction of officers for the army, the President shall be authorized to appoint cadets from the several States, in number proportioned to their representation in the House of Representatives, and ten in addition to be selected by him at large from the Confederate States, who shall be attached to companies in service in any branch of the army, as supernumerary officers, with the rank of cadet, who shall receive the monthly pay of forty dollars, and be competent for promotion at such time and under such regulations as may be prescribed by the President, or hereafter established by law.

SEC. 9. That the President be authorized to assign officers of the army of the Confederate States to staff duty with volunteers or provisional troops, and to confer upon them, whilst so employed, the rank corresponding to the staff duties they are to perform.

SEC. 10. There shall be allowed and paid to every able-bodied man who shall be duly enlisted to serve in the army of the Confederate States, a bounty of ten dollars; but the payment of five dollars of the said bounty shall be deferred until the recruit shall have been mustered into the regiment in which he is to serve.

SEC. 11. That the provision of the third section of the act of the Congress of the United States, making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth day of June, A. D., eighteen hundred and sixty-one, approved June twenty-third, eighteen hundred and sixty, which declares that no arms nor military supplies whatever, which are of a patented invention, shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth, that it is for such patented invention, (if of force within the Confederate States,) shall be suspended in its operation for and during the existing war.

APPROVED May 16, 1861.

AN ACT to amend an Act entitled "An Act to provide for the appointment of Chaplains to the Army," approved May third, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That so much of the second section of the above recited act as fixes the pay of chaplains in the army at eighty-five dollars be repealed, and that the pay of said chaplains be fifty dollars per month.

APPROVED May 16, 1861.

AN ACT to provide an Additional Company of Sappers and Bombardiers for the Army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That there be added to the military establishment of the Confederate States one company of sappers and bombardiers, to consist of one captain, two first lieutenants, one second lieutenant, ten sergeants or master-workmen, ten corporals or overseers, two musicians, thirty-nine privates of the first class, and thirty-nine privates of the second class, who shall be instructed in and perform all the duties of sappers and bombardiers, and shall, moreover, under the orders of the chief engineer, be liable to serve by detachments in overseeing and aiding laborers upon fortifications or other works under the engineer department, and in supervising finished fortifications, as fortkeepers, preventing injury and making repairs.

SEC. 2. That it shall be the duty of the colonel of the engineer corps, subject to the approval of the Secretary of War, to prescribe the number, quantity, form, dimensions, &c., of the necessary vehicles, arms, pontons, tools, implements, and other supplies for the service of said company as a body of sappers and bombardiers.

SEC. 3. That the monthly pay of the captain of said company shall be one hundred and forty dollars; of each first lieutenant, one hundred dollars; of the second lieutenant, ninety dollars; of the sergeants, thirty-four dollars; of the corporals, twenty dollars; of the musicians, thirteen dollars; of the first class privates, seventeen dollars; and of the second class privates, thirteen dollars. And the said commissioned officers shall be entitled to the same allowances as all other commissioned officers of the army, and the same right to draw forage for horses as is accorded to officers of like rank in the engineer corps; and the enlisted men shall receive the same rations and allowances as are granted to all other enlisted men in the army.

APPROVED May 17, 1861.

AN ACT concerning the transportation of Soldiers and allowance for Clothing of Volunteers, and amendatory of the act for the establishment and organization of the Army of the Confederate States.

SECTION 1. *The Congress of the Confederate States of America do enact,* When transportation cannot be furnished in kind, the discharged soldier shall be entitled to receive ten cents per mile in lieu of all traveling pay, subsistence, forage, and undrawn clothing, from the place of discharge to the place of his enlistment or enrollment, estimating the distance by the shortest mail route, and if there is no mail route, by the shortest practicable route. The foregoing to apply to all officers, non-commissioned officers, musicians, artificers, farriers, blacksmiths, and privates of volunteers, when disbanded, discharged or mustered out of service of the Confederate States; and it shall also apply to all volunteer troops, as above designated, when traveling from the place of enrollment to the place of general rendezvous or point where mustered into service: *Provided*, That nothing herein contained shall be so construed as to deprive the mounted volunteers of the allowance of forty cents a day for the use and risk of his horse, which allowance is made from the date of his enrollment to the date of his discharge, and also for every twenty miles' travel from the place of his discharge to the place of his enrollment.

SEC. 2. That the fourth section of the act of March 6, 1861, "To provide for the public defence," be amended as follows, viz: There shall be allowed to each volunteer, to be paid to him on the first muster and pay rolls after being received and mustered into the service of the Confederate States, the sum of twenty-one dollars, in lieu of clothing for six months; and thereafter the same allowance in money at every subsequent period of service for six months in lieu of clothing: *Provided*, That the price of all clothing in kind received by said volunteers from the Confederate States government shall be deducted first from the money thus allowed; and if that sum be not sufficient, the balance shall be charged for stoppage on the muster and pay rolls; and that all accounts arising from contracts, agreements, or arrangements for furnishing clothing to volunteers, to be duly certified by the company commander, shall be paid out of the said semi-annual allowance of money.

SEC. 3. That the twenty-first section of the act for the organization of the army of the Confederate States be so amended as to allow to aids-de-camp and to adjutants forage for the same number of horses as allowed to officers of the same grade in the mounted service.

APPROVED May 21, 1861.

AN ACT to be entitled an Act to amend "An Act to raise an additional Military Force to serve during the War."

SECTION 1. *The Congress of the Confederate States of America do enact*, That so much of the second section of the act entitled an act to raise an additional military force to serve during the war, passed May eighth, eighteen hundred and sixty one, be so amended as to authorize the President, on the application of any commanding officer of a regiment or battalion authorized by said act, to assign a subaltern of the line of the army to the duties of adjutant of said regiment or battalion.

APPROVED May 21, 1861.

AN ACT to authorize the President to confer temporary rank and command, for service with volunteer troops, on Officers of the Confederate army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President shall be authorized to confer temporary rank and command, for service with volunteer troops, on officers of the Confederate army; the same to be held without prejudice to their positions in said army, and to have effect only to the extent and according to the assignment made in general order.

APPROVED May 21, 1861.

AN ACT to amend an act entitled "An Act recognizing the existence of war between the United States and the Confederate States, and concerning Letters of Marque, Prizes, and Prize Goods, approved May 6th, one thousand eight hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States do enact*, That the tenth section of the above entitled act be so amended that, in addition to the bounty therein mentioned, the government of the Confederate States will pay to the cruizer or cruizers of any private armed vessel commissioned under said act, twenty per centum on the value of each and every vessel of war belonging to the enemy, that may be sunk or destroyed by such private armed vessel or vessels, the value of the armament to be included in the estimate. The valuation to be made by a board of naval officers appointed, and their award to be approved by the President, and the amount found to be due to be payable in eight per cent. bonds of the Confederate States.

SEC. 2. That if any person who may have invented or may hereafter invent any new kind of armed vessel, or floating battery, or defence, shall deposit a plan of the same, accompanied by suitable

explanations or specifications, in the navy department, together with an affidavit setting forth that he is the inventor thereof, such deposit and affidavit (unless the facts set forth therein shall be disproved) shall entitle such inventor or his assigns to the sole and exclusive enjoyment of the rights and privileges conferred by this act, reserving, however, to the government, in all cases, the right of using such invention.

Approved May 21 1861.

An Act relative to Prisoners of War.

Section 1. *The Congress of the Confederate States of America do enact*, That all prisoners of war taken, whether on land or at sea, during the pending hostilities with the United States, shall be transfered by the captors, from time to time and as often as convenient, to the Department of War; and it shall be the duty of the Secretary of war, with the approval of the President, to issue such instructions to the Quartermaster General and his subordinates as shall provide for the safe custody and sustenance of prisoners of war; and the rations furnished prisoners of war shall be the same in quantity and quality as those furnished to enlisted men in the army of the Confederacy.

Sec. 2. That the eighth section of the act entitled "An act recognizing the existence of war between the United States and the Confederate States, and concerning Letters of Marque, Prizes, and Prize Goods," shall not be so construed as to authorize the holding as prisoners of war the officers or crew of any unarmed vessel, nor any passenger on such vessels, unless such passengers be persons employed in the public service of the enemy.

Sec. 3. That the tenth section of the above recited act shall not be so construed as to allow a bounty for prisoners captured on vessels of the enemy and brought into port, unless such prisoners were captured on board of an armed ship or vessel of the enemy of equal or superior force to that of the private armed vessel making the capture.

Approved May 21, 1861.

Resolutions in relation to the First Regiment of North Carolina Volunteers.

Resolved by the Congress of the Confederate States of America, That the President be, and he is hereby, authorized to receive and muster, into the service of the Confederate States of America, the First Regiment of North Carolina Volunteers, now stationed at Yorktown, for the term of six months from the time they were sworn in and mustered into the service of North Carolina, and to

discharge them after the expiration of that period; said period to commence at the time the first company of said regiment was mustered into the service of North Carolina.

Resolved, further, That the Cadets from the North Carolina Institute, at Charlotte, who may have been acting with said regiment, be mustered into service in the same manner as the residue of the regiment, and be recognized as part thereof, with the pay of privates.

Approved July 30, 1861.

An Act to make provision for the care of supplies for the sick and wounded.

The Congress of the Confederate States of America do enact, That the Secretary of War shall forthwith appoint a clerk in the office of the Surgeon-General, to take charge of all Hospital supplies and other articles which may be contributed for the use of the sick and wounded; and the same to dispose of, according to the wishes of the contributors, under the direction of the Medical Department of the army; the salary of the said clerk not to exceed one thousand dollars; and the said clerk shall be authorized, under the direction of the Surgeon-General, to procure and fit up a proper place for the safe-keeping and proper disposal of the said articles.

Approved August 2, 1861.

An Act to amend an Act, entitled, "An act to make further provisions for the Public Defence," approved 11th May, 1861; and to amend an Act entitled "An Act to increase the Military Establishment of the Confederate States;" and to amend the "Act for the establishment and organization of the Army of the Confederate States of America."

The Congress of the Confederate States of America do enact, That the third section of an act entitled "An act to make further provision for the public defence," approved 11th May, 1861, be amended by striking out of said section the words, "detailed from the regular army;" and further, that the ninth section of the act entitled "An act to increase the military establishment of the Confederate States," and to amend the "act for the establishment and organization of the army of the Confederate States of America," approved 16th May, 1861, be amended, by adding thereto the following clause: "And that the President may, in his discretion, upon the application and recommendation of a Major General, or Brigadier General, appoint from civil life persons to the staff of

such officer, who shall have the same rank and pay as if appointed from the army of the Confederate States.

Approved August 3, 1861.

An Act to provide for an additional field officer to volunteer battalions, and for the appointment of Assistant Adjutants General for the Provisional forces.

Section 1. *Be it enacted by the Congress of the Confederate States of America,* That the eighth section of the act of March 6th, 1861, "To provide for the public defence," be, and the same is hereby, so far amended that whenever battalions of volunteers in the service of the Confederate States shall consist of not less than six companies, there may be allowed, in the discretion of the President, to each battalion so constituted, two field officers, one with the rank of Lieutenant Colonel, and the other with the rank of Major.

Sec. 2. That the President be, and he is hereby, authorized to appoint for the volunteer forces in the Confederate service, as many assistant Adjutants-General as the service may require, whose rank shall correspond with the rank of the assistant Adjutants-General in the regular army, and who shall receive the same pay and allowances according to their respective grades.

Approved August 2, 1861.

An Act to authorize advances to be made in certain cases.

The Congress of the Confederate States of America do enact, That the Secretary of War, with the approbation of the President, be authorized, during the existence of the present war, to make advances upon any contract, not to exceed thirty-three and one-third per cent., for arms or munitions of war: *Provided,* that security be first taken, to be approved by the Secretary of War, for the performance of the contract, or for the proper accounting for the said money.

Approved August 5, 1861.

An Act to give aid to the people of the State of Missouri.

Section 1. *The Congress of the Confederate States of America do enact,* That to aid the people of the State of Missouri in the effort to maintain, within their own limits, the constitutional liberty which it is the purpose of the Confederate States in the existing war to vindicate, there shall be, and is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, one million of dollars, to supply clothing, subsistence, arms and ammuni-

tion to the troops of Missouri who may co-operate with those of the Confederate States, during the progress of the existing war; said sum to be expended under the discretion of the President of the Confederate States, for the purposes aforesaid.

APPROVED August 6, 1861.

AN ACT to provide for the construction of a newly invented implement of war.

Whereas, Charles S. Dickinson alleges that he has invented a machine, generally known as 'Winan's Gun,' whereby balls can be projected with such force, rapidity and precision as to render it a valuable implement of war, both in the Army and Navy. The Congress of the Confederate States of America do, therefore, enact, That the President be, and he is hereby, authorized, in his discretion, to cause one machine of this description, calculated to throw balls measuring about three-fourths of an inch in diameter, and weighing about two ounces, to be constructed under the direction of said Dickinson; *Provided*, that the cost thereof shall not exceed five thousand dollars.

APPROVED, August 6, 1861.

AN ACTT o authorize the President of the Confederate States to grant Commissions to raise Volunteer Regiments and Battalions, composed of persons who are, or have been, residents of the States of Kentucky, Missouri, Maryland and Delaware.

The Congress of the Confederate States of America do enact, That the President of the Confederate States be, and he is hereby, authorized to grant commissions to officers above the grade of Captain, to such persons as he may think fit, to raise and command Volunteer Regiments and Battalions for the service of the Confederate States, said Regiments and Battalions to be composed of persons who are, or have been, residents of the States of Kentucky, Missouri, Maryland, or Delaware, and who have enlisted, or may enlist, under said officers: upon the condition, however, that such officers shall not hold rank or receive pay, until such Regiments or Battalions have been raised and are mustered into service.

APPROVED August 8, 1861.

AN ACT further to provide for the Public Defence.

SECTION 1. *The Congress of the Confederate States of America do enact*, That in order to provide additional forces to repel invasion, maintain the rightful possession of the Confederate States of America, and to secure the independence of the Confederate States,

the President be, and he is hereby, authorized to employ the militia, military and naval forces of the Confederate States of America, and to ask for and accept the services of any number of volunteers, not exceeding four hundred thousand, who may offer their services, either as cavalry, mounted riflemen, artillery, or infantry, in such proportions of these several arms as he may deem expedient, to serve for a period of not less than twelve months, nor more than three years after they shall be mustered into service, unless sooner discharged.

SEC. 2. That whenever the militia or volunteers are called and received into the service of the Confederate States, under the provisions of this act, they shall be organized under the act of the 6th of March, 1861, entitled "An Act to provide for the Public Defence," with the same pay and allowances of said act, and the same time for the service of the militia.

SEC. 3. Nothing in this act shall be construed to extend to, or in anywise to alter any act heretofore passed, authorizing the President to receive troops offered directly to the Confederate States for the war, or for any less time.

APPROVED August 8, 1861.

AN ACT to provide for the appointment of Surgeons and Assistant Surgeons for Hospitals.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby authorized to appoint in the Provisional Army as many Surgeons and Assistant Surgeons, for the various hospitals of the Confederacy, as may be necessary.

APPROVED August 14, 1861.

AN ACT to aid the State of Missouri in repelling invasion by the United States, and to authorize the admission of said State as a member of the Confederate States of America, and for other purposes.

WHEREAS, The people of the State of Missouri have been prevented by the unconstitutional interference of the Government of the United States, from expressing their will through their legally constituted authorities in regard to a Union with the Confederate States of America, and are now engaged in repelling a lawless invasion of their territory by armed forces; and whereas, it is the right and duty of the Confederate States to aid the people and government of the said State in resisting such invasion, and in securing the means and the opportunity of expressing their will

upon all questions affecting their rights and liberties: now, therefore—

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States of America be and he is hereby authorized to co-operate through the military power of this Government with the authorities and the people of the State of Missouri in defending that State against a lawless invasion by the United States, and in maintaining the liberty and independence of her people; and that he be authorized and empowered, at his discretion, to receive and muster into the service of the Confederate States, in the State of Missouri, such troops of that State as may volunteer to serve in the army of the Confederate States, subject to the rules and regulations of said army, and in accordance with the laws of Congress; and said troops may be received into service by companies, battalions, or regiments, with their officers elected by the troops, and the officers so elected shall be commissioned by the President; and when mustered into service said companies, battalions, or regiments may be attached to such brigades or divisions as the President may determine; and the President shall have power to appoint field officers for all battalions and regiments organized out of separate companies mustered into service, and to add to battalions a sufficient number of separate companies to complete their organization into regiments, and to appoint the additional field officers necessary for the complete organization of the regiments so formed; and all vacancies that may occur among the commissioned officers of troops mustered into service under this act, shall be filled in the manner provided in the act entitled "An act for the establishment and organization of the army of the Confederate States of America," approved sixth March, eighteen hundred and sixty-one.

SEC. 2. That the State of Missouri shall be admitted a member of the Confederate States of America, upon an equal footing with the other States under the Constitution for the Provisional Government of the same, upon the condition that the said Constitution for the Provisional Government of the Confederate States shall be adopted and ratified by the properly and legally constituted authorities of said State, and the Governor of said State shall transmit to the President of the Confederate States an authentic copy of the proceedings touching said adoption and ratification by said State of said Provisional Constitution; upon the receipt whereof, the President, by proclamation, shall announce the fact; whereupon, and without any further proceedings upon the part of Congress, the admission of said State of Missouri into this Confederacy, under said Constitution for the Provisional Government of the Confederate States, shall be considered as complete; and the laws of this Con-

federacy shall be thereby extended over said State of Missouri as fully and completely as over other States now composing the same.

SEC. 3. That the Congress of the Confederate States recognize the government of which Claiborne F. Jackson is the chief magistrate, to be the legally elected and regularly constituted Government of the people and State of Missouri; and that the President of the Confederate States be, and he is hereby empowered, at his discretion, at any time prior to the admission of the said State as a member of this Confederacy, to perfect and proclaim an alliance, offensive and defensive, with the said Government, limited to the period of the existing war between this Confederacy and the United States; the said treaty or alliance to be in force from the date thereof, and until the same shall be disaffirmed or rejected by this Congress.

APPROVED August 20, 1861.

AN ACT to authorize payment to be made for certain Horses purchased for the Army, by Col. A. W. McDonald.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the Secretary of War be, and he is hereby authorized, to cause payment to be made to the vendors, upon an audit of the accounts, of certain horses, heretofore purchased, by order of Colonel Angus W. McDonald, to mount the men he was authorized to raise by order of the President of the Confederate States; and upon the payment of the said accounts, said horses shall become the property of the Government, and shall be subject to the control of the Quartermaster's department; *Provided, however*, that the Quartermaster-General shall be, and he is hereby empowered, to permit said horses to remain in the possession of the volunteers who now have them, subject to the general law controlling cavalry troops, upon the written agreement of said volunteers that said horses will be paid for by them out of the allowances now made for cavalry troops.

APPROVED August 21, 1861.

AN ACT to provide for Local Defence and Special Service.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be, and he is hereby authorized to accept the services of volunteers of such kind and in such proportion as he may deem expedient, to serve for such time as he may prescribe, for the defence of exposed places or localities, or such special service as he may deem expedient.

SEC. 2. And such forces shall be mustered into the service of the Confederate States, for the local defence or special service aforesaid, the muster roll setting forth distinctly the services to be performed; and the said volunteers shall not be considered in actual service until thereunto specially ordered by the President. And they shall be entitled to pay or subsistence, only for such time as they may be on duty under the orders of the President or by his direction.

SEC. 3. Such volunteer forces, when so accepted and ordered into service, shall be organized in accordance with and subject to all the provisions of the act entitled "An Act to provide for the Public Defence," approved March sixth, 1861, and may be attached to such divisions, brigades, regiments, or battalions as the President may direct, and when not organized into battalions or regiments before being mustered into service, the President shall appoint the field officers of the battalions and regiments, when organized as such by him.

APPROVED August 21, 1861.

AN ACT to authorize the employment of Cooks and Nurses, other than enlisted men, or volunteers, for the military service.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the better to provide for the sick and wounded, the Secretary of War is authorized to direct the employment, when deemed necessary, of nurses and cooks, other than enlisted men, or volunteers, the persons so employed being subject to military control, and in no case to receive pay above that allowed to enlisted men, or volunteers.

SEC. 2. That there be appropriated for the pay of the nurses and cooks, provided for in the above section, one hundred and thirty thousand dollars.

APPROVED August 21, 1861.

AN ACT making appropriation for Military Hospitals.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the sum of fifty thousand dollars be, and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, for the establishment and support of Military Hospitals, during the current fiscal year ending February eighteenth eighteen hundred and sixty-two.

APPROVED August 21, 1861.

A Resolution in relation to the Equipments of Volunteer Cavalry Companies.

Resolved by the Congress of the Confederate States of America, That the Secretary of War be, and he is hereby authorized, in his discretion, to furnish to Volunteer Cavalry Companies, whose services are accepted for the war by the Confederate States, all necessary equipments.

Approved August 21, 1861.

An Act to increase the Corps of Artillery, and for other Purposes.

Section 1. *The Congress of the Confederate States of America do enact*, That there be added to the Corps of Artillery, Confederate States Army, one Lieutenant-Colonel and two Majors, with the pay and allowances authorized by existing laws for those grades respectively.

Sec. 2. That the President be, and he is hereby, authorized to appoint, in addition to the Storekeepers authorized by the fifth section of the Act of May sixteenth, eighteen hundred and sixty-one, "for the establishment and organization of the army of the Confederate States," as many Military Storekeepers of Ordnance, with the pay and allowances of a Captain of Infantry, as the safe keeping of the public property may require, not to exceed in all four Storekeepers, who shall, previous to entering on duty, give bonds with good and sufficient security, in such sums as the Secretary of War may direct, fully to account for all moneys and public property, which they may receive.

Sec. 3. That the President be, and he is hereby, authorized, whenever in his judgment the interests of the service may require, and where officers of the army cannot be assigned to these duties, to appoint one or more Superintendents of Armories for the fabrication of small arms, whose salary shall not exceed two thousand five hundred dollars per annum, with allowance for quarters and fuel at the rate fixed for a Major in the Army. And that the President be also authorized to appoint two or more Master Armorers, with a salary not to exceed fifteen hundred dollars per annum, with allowance of quarters and fuel at the rate fixed for a Captain in the Army.

Sec. 4. That during the existing war, the President may, as Commander-in-chief of the Forces, appoint, at his discretion, for his personal staff, two Aids de-camp, with the rank, pay, and allowances of a Colonel of Cavalry.

Sec. 5. That hereafter, there shall be allowed one additional sergeant to each company in the service of the Confederate States,

making in all five sergeants per company, who shall receive the same pay and allowances as are provided by existing laws for that grade.

APPROVED August 21, 1861.

AN ACT to establish a uniform rule of naturalization for persons enlisted in the armies of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact,* That every person not a citizen of one of the Confederate States engaged in the military service of the said Confederate States during the existing war against the United States of America, shall thereby, and whilst in such service, be under the protection of the Confederate States as fully as if he were a citizen thereof, the rights of a citizen being to such extent hereby conferred, and moreover shall have the right to become naturalized and to become a citizen of any one of the Confederate States, and shall thereby be entitled to all the rights and privileges of a citizen of said State of the Confederate States upon taking an oath to support the Constitution of such State, and well and faithfully to serve the Confederate States of America, to maintain and support the Constitution and laws thereof, and to renounce all allegiance and obedience to any foreign Government, State, Sovereignty, Prince, or Potentate, and particularly by name, the Government, State, Sovereignty, Prince, or Potentate of which he may be, or have been, a citizen or subject, and stating which one of the Confederate States he intends to become a citizen of; but if the State in which the said applicant shall have resided next before his application shall afterwards become a member of this Confederacy, the citizenship of said applicant shall remain in said State at his election, notwithstanding proceedings under this act.

SEC. 2. The oath prescribed in the preceding section may be made by all persons below the rank of colonel, before the colonel or commanding officer of the regiment to which such persons may be attached; and said oath may be made by colonels, and all officers superior in rank to colonels, and by all persons enlisted in the military service of the Confederate States not attached to regiments, before any commissioned officer of the Confederate States of rank higher than that of colonel. And it shall be the duty of the Secretary of War to provide blank forms of the oath required to be taken as aforesaid, and to cause the same to be distributed whenever necessary, and to make the regulations necessary for informing all persons now engaged in the military service of the Confederate States of the provisions of this act, and to cause all the oaths so taken as aforesaid to be returned to the War Department: And

it shall be further the duty of the Secretary of War to file for record, in the District Court of the Confederate States for the State and District where the Capital may be situated, all the oaths so returned to the War Department as aforesaid. And it shall be the duty of the Clerk of said District Court to record all oaths of naturalization filed with him as aforesaid, and to keep an index of the same; for which service he shall be entitled to a fee of twenty-five cents for each naturalization oath, to be paid out of the public treasury in the same manner as his other fees of office.

APPROVED August 22, 1861.

AN ACT to amend the second section of "An act concerning the transportation of soldiers and allowance for clothing of volunteers, and amendatory of the 'Act for the establishment and organization of the Army of the Confederate States.'"

SECTION 1. *The Congress of the Confederate States of America do enact,* That the Secretary of War be, and he is hereby, authorized and required to provide, as far as possible, clothing for the entire forces of the Confederate States, and to furnish the same to every regiment or company upon the requisition of the commander thereof, the quantity, quality, and kind thereof to be established by regulation of the Department, to be approved by the President; and, in case any State shall furnish to its troops and volunteers in the Confederate service such clothing, then the Secretary of War is required to pay over to the Governor of such State the money value of the clothing so furnished.

SEC. 2. The commander of every volunteer company shall have the privilege of receiving commutation for clothing at the rate of twenty-five dollars per man for every six months, when they shall have furnished their own clothing.

APPROVED August 30, 1861.

AN ACT to authorize the establishment of Recruiting Stations for Volunteers from the States of Kentucky, Missouri, Maryland, and Delaware.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the President be, and he is hereby, authorized to establish recruiting stations within the Confederate States for the reception of Volunteers into the military service of the Confederate States, from among persons who are, or have been, residents of the States of Kentucky, Missouri, Maryland, and Delaware.

SEC. 2. That the President be authorized to grant commissions as captains to such persons as he may think fit to raise and com-

mand companies to be composed of such volunteers; upon the condition, however, that such officers shall not hold rank or receive pay until such companies have been raised and are mustered into service.

SEC. 3. Whenever such recruits shall amount to a sufficient number to be formed into companies, the President may direct the same to be so organized appointing all commissioned officers of the several companies in addition to the captains provided for in the preceding section. And such companies may be organized into regiments in like manner under the direction of the President.

SEC. 4. Until such recruits shall amount to a sufficient number to be organized into companies, they shall receive no compensation except their clothing and rations.

APPROVED August 30, 1861.

AN ACT authorizing the President to inflict Retaliation upon the Persons of Prisoners.

WHEREAS, The Government of the United States has placed in irons and lodged in dungeons citizens of the Confederate States acting under the authority of Letters of Marque, issued in accordance with the laws of the Confederate States, by the President thereof, and have otherwise maltreated the same, and have seized and confined sundry other citizens of the said Confederate States, in violation of all principles of humane and civilized warfare: therefore—

Be it enacted by the Congress of the Confederate States of America, That the President be, and he is hereby, authorized to select such prisoners taken from the United States, and in such numbers as he may deem expedient, upon the persons of whom he may inflict such retaliation, in such measure and kind, as may seem to him just and proper.

APPROVED August 30, 1861.

AN ACT to amend an act entitled "An Act recognizing the existence of War between the United States and the Confederate States, and concerning Letters of Marque, Prizes and Prize Goods," approved May sixth, eighteen hundred and sixty-one; and an act entitled "An Act Regulating the Sale of Prizes and the Distribution thereof," approved May sixteenth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the seventh section of the first above recited act be

so amended as to permit and authorize the breaking of bulk and the removal by the captors of the whole or any part of the goods found on board a captured vessel whenever such removal may be necessary for the safe carriage of such vessel into port, and also, in all cases where, by grounding or otherwise, the securing of the cargo or any part thereof may require the removal: *Provided*, That the person in command of the vessel making such capture shall, as soon as practicable, after landing the cargo or any part thereof, cause an exact inventory of the same to be made by the nearest magistrate, wherein shall be specified each and every article so landed, and the marks, if any thereon, and forward the same immediately to the Collector of the nearest port; the property so landed shall remain in the custody of such magistrate, and he shall retain possession thereof until the same can be delivered to the marshal; and the court before which such cargo shall be brought, in case the same be condemned, may allow such compensation to the magistrate as to the court may seem just and proper: *And provided further*, That when such removal shall be made for the purpose of lightening over bars and shoals, and the goods removed shall, as soon thereafter as practicable, be returned on board the prize vessel, the same may be carried to port as if no removal had been made; and no delivery, as provided in the preceding clause, to a magistrate, shall be required.

SEC. 2. That the first section of the last above recited act be so amended as to allow the judge of a prize court, wherein any condemnation may be had, to order and decree that the said vessel and the cargo, or any part thereof, may in his discretion, and to enhance the value thereof, be sold by the marshal of the adjoining District, and at such place therein as he may designate: *Provided, always*, That the duties upon all dutiable goods shall be paid from the proceeds of sale.

APPROVED August 30, 1861.

AN ACT to authorize the appointment from Civil Life of Persons to the Staffs of Generals.

The Congress of the Confederate States of America do enact, That the President may, in his discretion, upon the application and recommendation of a General of the Confederate States Army, appoint from civil life, persons to the staff authorized by law of such officer, who shall have the same rank and pay as if appointed from the Army of the Confederate States.

APPROVED August 31, 1861.

AN ACT providing for the appointment of Adjutants of Regiments and Legions, of the grade of Subaltern, in addition to the Subalterns attached to companies.

SECTION 1. *The Congress of the Confederate States of America do enact*, That Adjutants of Regiments and Legions, may be appointed by the President, upon the recommendation of the Colonel thereof, of the grade of Subaltern, in addition to the Subaltern officers attached to companies, and said Adjutants, when so appointed, shall have the same rank, pay, and allowances as are provided by law to Adjutants of Regiments.

APPROVED August 31, 1861.

AN ACT providing for the Reception and Forwarding of Articles sent to the Army by Private Contribution.

The Congress of the Confederate States of America do enact, That the Secretary of War be authorized and required to make all necessary arrangements for the reception and forwarding of clothes, shoes, blankets, and other articles of necessity that may be sent to the Army by private contribution.

APPROVED August 31, 1861.

AN ACT to allow rations to Chaplains in the Army.

The Congress of the Confederate States of America do enact, That Chaplains in the army be, and they are hereby, allowed the same rations as privates.

APPROVED August 31, 1861.

A RESOLUTION in relation to Drillmasters appointed by States.

WHEREAS, under the authority of some of the States, Drillmasters were attached to various regiments; And, whereas, such officers are not recognized by the laws of the Confederate States, and consequently were not mustered into service; And, whereas, several of such Drillmasters have nevertheless continued to do effective service, voluntarily, with their respective regiments: Therefore—

Resolved, That such Drillmasters be granted an honorable discharge whenever they shall apply therefor.

APPROVED August 31, 1861.

RESOLUTIONS to provide Troops in the field with Bread and fresh Provisions.

Resolved by the Congress of the Confederate States of America, That the Secretary of War be, and he is hereby, directed to furnish

to such of our troops in the field as desire it, upon requisition made, and whenever practicable, in lieu of the usual ration of flour, an equivalent of well baked bread; to this end he is authorized to establish bakeries in such numbers and at such points as may be necessary, or to make contracts for the supply of such bread.

Resolved, That a daily ration of fresh vegetables be furnished to all troops whenever the same can be provided at reasonable cost and charges to the government.

APPROVED August 31, 1861.

AN ACT to authorize the President to continue the appointments made by him, in the Military and Naval Service, during the recesses of Congress, or the last or present session, and to submit them to Congress at its next session.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President be authorized to continue the appointments made by him, in the Military and Naval Service, during the recesses of Congress, or during the last or present session, and to submit them to Congress at the commencement of its next session.

APPROVED September 3, 1861.

A RESOLUTION for the relief of the "Lumberton Guards," (Company D,) Second Regiment North Carolina Volunteers.

Whereas, it appears that the Company of Volunteers known as Company D, of the Second Regiment of North Carolina Volunteers, now serving at Sewell's Point, in Virginia, (having been organized prior to the admission of the State of North Carolina into the Confederacy,) was enlisted for the period of six months only, and has been erroneously enrolled for the period of twelve months,

Resolved by the Congress of the Confederate States of America, That the President be, and he is hereby, authorized to discharge the said Company at the expiration of six months from the period when they were sworn in and mustered into the service of North Carolina, according to the terms of their enlistment as aforesaid.

APPROVED December 3, 1861.

AN ACT for the employment of Laundresses in Military Hospitals.

The Congress of the Confederate States of America do enact, That Superintendents of the different Military Hospitals be, and they are hereby, authorized to employ Laundresses for the sick and wounded soldiers, at such rates, and in such numbers, as may be prescribed by the War Department.

APPROVED December 7, 1861,

AN ACT to authorize the appointment of one or more officers to aid the President to sign Commissions in the Army.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to delegate power to one or more officers, to be selected by him, to affix the signature of the President to Commissions in the Army.

APPROVED December 7, 1861.

AN ACT to authorize the appointment of Chief Buglers and Principal Musicians to Regiments in the Provisional Army.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to appoint a Chief Bugler, or Principal Musician, according to corps, to each Regiment in the Provisional Army.

APPROVED December 10, 1861.

AN ACT providing for the granting of Bounty and Furloughs to Privates and Non-Commissioned Officers in the Provisional Army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That a bounty of fifty dollars be, and the same is hereby, granted to all privates, musicians and non-commissioned officers in the Provisional Army, who shall serve continuously for three years or for the war, to be paid at the following times, to wit: To all now in the service for twelve months, to be paid at the time of volunteering or enlisting for the next two ensuing years subsequent to their present term of service. To all now in the service for three years, or for the war, to be paid at the expiration of their first year's service. To all who may hereafter volunteer or enlist for three years or for the war, to be paid at the time of entry into service.

SEC. 2. *And be it further enacted*, That furloughs not exceeding sixty days, with transportation home and back, shall be granted to all twelve months men now in service, who shall, prior to the expiration of their present term of service, volunteer or enlist for the next two ensuing years subsequent to the expiration of their present term of service, or for three years or the war; said furloughs to be issued at such times and in such numbers as the Secretary of War may deem most compatible with the public interest; the length of each furlough being regulated with reference to the distance of each volunteer from his home: *Provided*, That in lieu of a furlough, the commutation value in money of the transportation

herein above granted, shall be paid to each private, musician, or non-commissioned officer, who may elect to receive it, at such time as the furlough itself would otherwise be granted.

Sec. 3. This Act shall apply to all troops who have volunteered or enlisted for a term of twelve months or more in the service of any State, who are now in the service of said State, and who may hereafter volunteer or enlist in the service of the Confederate States under the provisions of the present Act.

Sec. 4. *And be it further enacted,* That all troops re-volunteering or re-enlisting shall, at the expiration of their present term of service, have the power to re-organize themselves into companies and elect their company officers, and said companies shall have the power to organize themselves into battalions or regiments and elect their field officers; and after the first election, all vacancies shall be filled by promotion from the company, battalion or regiment in which such vacancies may occur: *Provided,* That whenever a vacancy shall occur, whether by promotion or otherwise, in the lowest grade of commissioned officers of a company, said vacancy shall always be filled by election: *And Provided further,* That in the case of troops which have been regularly enlisted into the service of any particular State prior to the formation of the Confederacy, and which have, by such State, been turned over to the Confederate Government, the officers shall not be elected, but appointed and promoted in the same manner and by the same authority as they have heretofore been appointed and promoted.

Approved December 11, 1861.

An Act to establish the date from which the Commissions of certain staff officers shall take effect.

Section 1. *The Congress of the Confederate States of America do enact,* That all Surgeons, Assistant Surgeons, Quartermasters, Commissaries, and Assistant Quartermasters and Commissaries, appointed and commissioned in the Provisional Army, and who may have commenced their service before receiving their commissions, shall be entitled to take rank and receive pay from the date when they actually commenced to perform their respective duties, with troops in the service of the Confederacy.

Approved December 18, 1861.

An Act for the Recruiting Service of the Provisional Army of the Confederate States.

Section 1. *The Congress of the Confederate States of America do enact,* That the Secretary of War be, and he is hereby, author-

ized to adopt measures for recruiting and enlisting men for companies in service for the war, or three years, which, by the casualties of the service, have been reduced by death and discharges.

SEC. 2. *And be it fvrther enacted*, That the Secretary of War be, and he is hereby, authorized to detail the company commissioned officers for the above duty, in such numbers and at such times as, in his opinion, will best comport with the public service; the officers thus appointed to enlist and recruit for their respective companies.

APPROVED December 19, 1861.

AN ACT to amend an Act entitled An Act to establish a Uniform Rule of Naturalization for persons enlisted in the Armies of the Confederate States of America.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the provisions of the above recited Act be, and the same are hereby, extended to all persons, not citizens of one of the Confederate States, who are engaged in the naval service of the Confederate States, during the present war with the United States; *Provided, however*, That the oath therein prescribed may be administered by the Captain or other commanding officer of any national ship, to all persons entitled to the benefit of this Act and attached thereto, and that the duties therein imposed upon the Secretary of War, in regard to persons in the military service, shall be performed by the Secretary of the Navy in reference to persons in the naval service.

APPROVED December 24, 1861.

AN ACT to provide for Corps of Engineers for the Provisional Army.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to appoint officers of Engineers in the Provisional Army, to a number not exceeding fifty, and of rank not higher than Captain, whose pay and emoluments shall be the same as those allowed for officers of a like grade in the Permanent Army of the Confederacy, and whose appointments shall expire at the end of the pending war.

APPROVED December 31, 1861.

AN ACT to amend "An Act to authorize the President to confer temporary rank and command for service with volunteer troops, on officers of the Confederate Army," approved May twenty first, eighteen hundred and sixty one.

Section 1. *Be it enacted by the Congress of the Confederate States of America*, That the above entitled Act be so amended that, in addition to the power therein granted, the President of the Confederate States be, and he is hereby, authorized to confer temporary rank and command upon officers of the Confederate Army on duty in the several Bureaus of the Adjutant and Inspector General, Chief of Engineers and Chief of Ordnance, to cease at the end of the war; the same to be held without prejudice to the positions in said Army.

Approved December 31, 1861.

An Act to provide for the payment of certain Indian Troops.

Section 1. *The Congress of the Confederate States of America do enact*, That the proper Quartermaster in the Military Department of Indian Territory be authorized to pay the officers and men of the company of Creek Mounted Volunteers raised in the month of August, eighteen hundred and sixty one, by authority of the Commissioner of the Confederate States, for local purposes, at the North Fork Village, in the Creek country; and of the Cherokee Regiments of Colonels Stand Watie and John Drew, and of the Choctaw and Chickasaw Regiment of Colonel Douglas H. Cooper, and of the Creek Regiment of Colonel Daniel N. McIntosh, and of the companies of Seminoles raised by the Chief, by authority of the same Commissioner, and of the other troops called into the service by Colonel Douglas H. Cooper, to aid in suppressing the insurrection of a part of the Creeks, and of any called into service by the Creek Agent for the same purpose, by direction of the Commissioner, for the times during which all of said troops were in the service, after being organized and before being mustered into the service, in the same manner as if they had been mustered in at the respective times when they were organized and received by the Commissioner or either of said officers; which payments shall be made upon special pay-rolls for that purpose: *Provided*, That the allowances in lieu of clothing shall be paid only to such of said officers and men as shall have since been or may be mustered into the service, and that none shall be paid who have deserted or disbanded without permission, or have taken sides with the insurrectionists among the Creeks.

Sec. 2 *And be it further enacted*, That the accounts of the acting Commissaries and Quartermasters of all said troops shall be settled in the same manner as if the troops with or for which they acted had been regularly mustered into the service at the time when they were organized and received; and that the debts incurred or moneys advanced by them, be paid by the Brigade Quartermaster

of the Brigade commanded by Brigadier-General Albert Pike: *Provided, further*, That the said accounts shall be also approved by the said Brigadier-General, and that the prices paid by them be found by him not to have been excessive or exorbitant, and the debts to have been contracted in good faith, and the moneys actually advanced.

APPROVED December 31, 1861.

AN ACT supplementary to An Act making appropriations for certain Floating Defences, approved Januaay ninth, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to raise a corps for the temporary and special service on the Western waters, to cause to be enlisted a number of men not exceeding six thousand, and of such commissioned and non-commissioned officers, and of such rank, either Naval or Military, as the President may deem necessary, who shall severally receive such pay and allowances as he may determine.

APPROVED January 14, 1862.

AN ACT to authorize the Secretary of War to Audit and Settle the Claims of certain Officers therein named.

The Congress of the Confederate States of America do enact, That the Secretary of War be, and he is hereby, authorized to audit and settle the claims of all Assistant Quartermasters General, Commissaries General, and Surgeons, who discharged the duties of said offices, from the date of the transfer of the Battalions or Regiments to which they were attached, to the time of the appointment of their successors by the Confederate Government: *Provided*, Said officers held commissions from their respective States and discharged the duties of said offices under said Commissions, and no other officers during the time, were appointed, or discharged the duties of the same.

APPROVED January 15, 1862.

AN ACT to amend an Act entitled "An Act to raise an additional Military Force to serve during the War," approved May eighth, eighteen hundred and sixty-one, and for other purposes.

SECTION 1. *The Congress of the Confederate States of America do enact*, That volunteers offering their service under an Act entitled "An Act to raise an additional military force to serve during the

war," approved May eighth, eighteen hundred and sixty-one, may be accepted by the President singly as well as in companies, squadrons, battalions or regiments.

SEC. 2. In all appointments of officers raised under this Act, the field and company officers shall be chosen and appointed in the manner prescribed by the Act entitled "An Act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army," approved December eleventh, eighteen hundred and sixty-one, and all vacancies occurring in the said offices after the first election made under this Act, as well as under the Act entitled "An Act to raise an additional military force to serve during the war," approved May eighth, eighteen hundred and sixty-one, shall be filled by promotion, according to grade and seniority, as provided in the said Act of eleventh December, eighteen hundred and sixty-one, except in case of disability or other incompetency: *Provided, however*, That the President be authorized to depart from the prescribed rule of promotion in favor of any person specially distinguished by his Commanding General for extraordinary merit, or some signal act of military skill or gallantry.

SEC. 3. Any vacancies occurring in the ranks of companies mustered into the Confederate service for three years or for the war, may be filled by volunteers; and the commander of each of said squadrons, battalions, or regiments, organized as aforesaid, may detail one commissioned officer and one non-commissioned officer, and one or more privates, from each company of his command, with the approval of the Brigadier General of the Brigade to which said squadron, battalion or regiment may be attached, to recruit men for said company; so that the same may contain not more than one hundred and twenty-five, rank and file. and the men so recruited shall be mustered in at the time of enrollment, and shall be entitled to transportation and subsistence, or commutation of subsistence, till they join their respective companies, and to fifty dollars bounty, to be paid at the time of joining the same.

SEC. 4. The President be, and he is hereby, authorized to appoint and commission persons as field officers or captains to raise regiments, squadrons, battalions or companies, and the individuals comprising the same shall be mustered in at the time of enrollment, and be entitled to pay, transportation and subsistence, from the date of the organization of companies; but the officers so appointed by the President shall not be entitled to any pay or allowance until their respective commands be fully organized and reported to the Secretary of War; and said appointments shall expire if the officer appointed shall not within a reasonable time, not to exceed two months for a company, and four months for a battalion, squadron or regiment, report the corps authorized to be raised by him, or-

ganized and ready for duty: *Provided, nevertheless,* That every officer so commissioned for such purpose, shall receive an appointment proportioned to the force he recruits; *And provided, furthermore,* That no enlistments under the commission of captain shall be obligatory, unless the number be sufficient to constitute a company.

APPROVED January 22, 1862.

AN ACT to authorize the appointment of Officers of Artillery in the Provisional Army and in the Volunteer Corps.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of Congress, in the Provisional Army, and in the Volunteer Corps, officers of Artillery, above the rank of Captain, without reference to the number of batteries under the actual command of the officers so appointed, not to exceed in number, however, one Brigadier-General for every eighty guns, one Colonel for forty guns, one Lieutenant Colonel for every twenty-four guns, and one Major for every sixteen guns.

APPROVED January 22, 1862.

A RESOLUTION in reference to the Arms of the Volunteers for Twelve Months.

Resolved by the Congress of the Confederate States of America, That the military exigencies of the Confederate States render it absolutely necessary that the arms of the volunteers now in the service should be kept within the control of the President of the Confederate States; so that whenever the present volunteers shall be discharged from service, the arms may be placed in the hands of others.

APPROVED January 22, 1862.

AN ACT to authorize the President to call upon the several States for Troops to serve for Three Years or during the War.

SECTION 1. *The Congress of the Confederate States of America do enact,* That the first section of the Act of March sixth, eighteen hundred and sixty one, be, and is hereby, so modified as to authorize the President to call upon the several States, in his discretion, for any number of troops not exceeding, in the aggregate, the number heretofore authorized, to serve for the term of three years or during the war.

SEC. 2. In making such requisitions, the President shall take into consideration the number of troops from each State already en-

listed for the war at the time of the requisition, and shall, as far as practicable, equalize the same amongst the States according to their respective white population.

Approved January 23, 1862.

An Act to provide for recruiting companies now in the service of the Confederate States for twelve months.

Section 1. *The Congress of the Confederate States of America do enact*, That all companies of volunteers, now in the service of the Confederate States under enlistment for the term of twelve months, may be recruited by enlisting, or receiving, volunteers for three years or the war, to a number not to exceed one hundred and twenty-five, rank and file, and companies so recruited shall, at the expiration of the term of service of the original company, elect their commissioned officers; and vacancies thereafter occurring in the commissioned offices of such companies shall be filled by promotion of said commissioned officers, except that vacancies in the lowest grade of such offices, shall be filled by election.

Sec. 2. The Colonel or commanding officer of the several regiments, battalions and squadrons enlisted for twelve months as aforesaid, may detail one commissioned officer and not exceeding two privates of each company, to recruit for their respective companies, and the officers and privates so detailed shall be entitled to transportation while so engaged, and the recruits so enlisted shall be entitled to pay, transportation and subsistence from the time and place of enlistment, together with the sum of fifty dollars, as a bounty, upon joining their respective companies.

Sec. 3. The original volunteers, in such companies, re-enlisting, according to the terms of the Act entitled "An Act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army," may re-enlist in, and form part of, the companies to be recruited as herein provided; and when all the companies composing the regiment, battalion, or squadron as aforesaid, shall by recruiting as aforesaid, or by re-enlistment and recruiting, as aforesaid, have attained at the date of the expiration of the term of service of the original companies, the number required by law for a company, the number and designation of such regiment, battalion, or squadron, may continue, or such of said companies as are complete at that date, may re-organize into new regiments, battalions, or squadrons, or attach themselves to other regiments, battalions or squadrons; and in all such cases the field officers shall be elected, and vacancies thereafter occurring in such field offices shall be filled by promotion, as directed by the act aforesaid.

The Congress of the Confederate States of America do enact, That if any officer of the army be appointed Secretary of War, and enter upon the duties of that office, he shall not thereby lose his rank in the army, but only the pay and allowance thereof, during the time he is Secretary of War, and receiving the salary of that officer.

APPROVED February 27, 1862.

AN ACT to authorize the suspension of the Writ of Habeas Corpus in certain cases.

The Congress of the Confederate States of America do enact, That during the present invasion of the Confederate States, the President shall have power to suspend the privilege of the writ of *habeas corpus* in such cities, towns, and military districts as shall, in his judgment, be in such danger of attack by the enemy as to require the declaration of martial law for their effective defence.

APPROVED February 27, 1862.

AN ACT to regulate the Destruction of Property under military necessity, and to provide for the Indemnity thereof.

The Congress of the Confederate States of America do enact, That the military authorities of the Confederate Army are hereby authorized and directed to destroy cotton, tobacco, military and naval stores, or other property of any kind whatever, which may aid the enemy in the prosecution of the war, when necessary to prevent the same, or any part thereof, from falling into the hands of the enemy.

SEC. 2. *Be it further enacted*, That the owners of property destroyed under the operation of this act, as well as those persons who shall voluntarily destroy their property to prevent the same from falling into the hands of the enemy, are hereby authorized to perpetuate the testimony of such destruction, in the manner prescribed by an act of the Provisional Congress, entitled "An Act to perpetuate testimony in cases of slaves abducted or harbored by the enemy, and of other property seized, wasted, or destroyed by them," approved thirtieth August, eighteen hundred and sixty-one; and such owners and person shall be entitled to indemnity out of the proceeds of property sequestered and confiscated under the laws of the Confederate States, in such manner as Congress may hereafter provide.

APPROVED March 17th, 1862.

AN ACT to provide for the further Defence of the Bay of Mobile, and the Alabama River.

The Congress of the Confederate States of America do enact, That the sum of one million and two hundred thousand dollars is hereby appropriated for the further defence of the Bay of Mobile, and the Alabama river, to be expended, at the discretion of the President, by the Secretary of the Navy; and that the disbursement of said money shall be made in the manner provided by law for appropriations for the Navy.

SEC. 2. *Be it further enacted*, That the President is hereby authorized to raise a corps for the temporary and special service provided for in the first section of this act in the Bay of Mobile, and the Alabama river, consisting of a number of men not exceeding six thousand, and of such commissioned and non-commissioned officers, and of such rank as the President may deem necessary, who shall severally receive such pay and allowances as he may determine.

APPROVED March 24, 1862.

AN ACT to provide a Staff and Clerical force for any General who may be assigned by the President to duty at the seat of Government.

The Congress of the Confederate States of America do enact, That whenever the President shall assign a General to duty at the seat of Government, the said General shall be entitled to the following staff, to wit: A military Secretary, with the rank of Colonel; four aids-de-camp, with the rank of Major; and such clerks, not to exceed four in number, as the President shall, from time to time, authorize. The pay and allowance of the military Secretary and aids-de-camp, shall be the same as those of officers of cavalry of like grade; and the salaries of the clerks shall not exceed twelve hundred dollars per annum for each. Such offices, office furniture, fuel, and stationery, shall be provided for the said General as the duties of his office may render necessary, to be paid for out of the appropriation for the contingent expenses of the War Department.

APPROVED March 25, 1862.

AN ACT to authorize the President to increase his personal Staff.

The Congress of the Confederate States of America do enact, That during the existing war the President may, as Commander-in-chief of the forces, appoint, at his discretion, for his personal staff, four aids-de-camp, in addition to the number now allowed by law, with the rank, pay, and allowances of a colonel of cavalry.

APPROVED April 2, 1862.

AN ACT to provide for an increase of the Quartermaster and Commissary Departments.

The Congress of the Confederate States of America do enact, That in addition to the number of Quartermasters, Assistant Quartermasters, Commissaries, and Assistant Commissaries, now allowed by law, the President shall have authority to appoint as many of said officers, as shall, in his discretion, be deemed necessary at permanent posts and depots; said appointments to terminate at the close of the war, or sooner if the services of the officer can be advantageously dispensed with: *Provided*, That no Quartermaster, Assistant Quartermaster, Commissary, or Assistant Commissary, be authorized to employ a clerk; but the commanding officer of Quartermasters, Assistant Quartermasters, Commissaries, or Assistant Commissaries, shall detail from the ranks under his command such person or persons as may be necessary for service in the offices of said Quartermasters, Assistant Quartermasters, Commissaries, and Assistant Commissaries.

APPROVED February 15, 1862.

AN ACT concerning the Pay and Allowances due to Deceased Soldiers.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the pay and allowances due to any deceased volunteer, non-commissioned officer, musician, or private, in the army of the Confederate States, shall be paid to the widow of the deceased, if living; if not, to the children, if any; and in default of widow or children, to the father, if living, and if not, to the mother of such deceased volunteer.

SEC. 2. The pay and allowance due as aforesaid shall be paid by the paymaster or proper officer charged with the payment of the troops, to the person or persons entitled to the same, or to his or her authorized agent, attorney, or guardian, upon the pay-roll made out and certified by the Captain or commanding officer of the company to which the deceased was attached, which pay-roll the captain or commanding officer as aforesaid shall make out and deliver to the person or persons entitled to such pay and allowance, or to his, her, or their authorized agent, attorney, or guardian, and shall state in such pay-roll the name of the deceased volunteer, the company and regiment to which he was attached, and the date of his enlistment and death; and the paymaster or officer to whom said pay-roll shall be directed, shall pay the same according to the tenor thereof, and shall file such pay-roll with the pay-rolls of the army.

APPROVED February 15, 1862.

AN ACT to make disposition of Negro Slaves captured from Hostile Indians.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all negroes who are slaves, belonging to hostile Indians who are members or citizens of any one of the tribes of Indians friendly to this Government, and who have been, or may hereafter be, captured by troops or persons in the service of the Confederate States, shall be delivered to the Superintendent of Indian Affairs west of Arkansas.

SEC. 2. That said superintendent shall carefully inform himself of the persons and tribes to whom each negro belongs, and shall promptly notify the Executive, or Head Chief of the proper tribe or tribes, to receive the same at some convenient place, and shall deliver said negro or negroes, to said Executive, or Head Chief of said friendly tribe or tribes, as captured property, to be held by said tribe or tribes until such provisions and orders shall be made by this Government as shall seem just and wise, and shall take receipts for the same.

SEC. 3. That the said Superintendent shall, at or before the time of such delivery, make out a record, showing the name and age and value of each slave received by him, and shall report the same, and the fact of such delivery, or other disposition of each of said negroes, to the Commissioner of Indian Affairs, together with all the facts of time, place, and circumstances of the capture, and by whom captured; but in no case shall any free negro who is so captured be given up by virtue of this Act.

APPROVED February 17, 1862.

AN ACT to fix the Date at which the Bounty shall be paid to Soldiers enlisting for the War.

The Congress of the Confederate States of America do enact, That the bounty of fifty dollars, allowed by existing laws to soldiers enlisting for the war, or re-enlisting for two years, or recruited, shall be payable as soon as the volunteer entitled thereto shall have been sworn into the service of the Confederate States, and shall have been pronounced by any Surgeon, or Assistant Surgeon of the Confederate States, after inspection, as being fit and able to do military service.

APPROVED February 17, 1862.

AN ACT supplementary to an act entitled "An Act to establish the War Department," approved February twenty-first, eighteen hundred and sixty-one.

Sec. 4. Companies organized by re-enlisted twelve months volunteers, under the act aforesaid, may be recruited to the number of one hundred and twenty-five, in the manner prescribed in the second section of this act.

Sec. 5. When, at the date of the expiration of the term of service of the original company, the number of recruits and enlisted men may not amount to the minimum number required for a company, the recruited men may combine with recruits of other companies in like situation, so as to form complete companies; and in default of such combinations, the said recruits may be assigned or distributed to other companies, from the State in which such recruits were enlisted.

Sec. 6. The Secretary of War shall make all needful rules, to carry into effect the foregoing provisions.

Approved January 27, 1862.

An Act to amend an Act entitled "An Act to provide for the Public Defence," approved March sixth, eighteen hundred and sixty-one.

Section 1. *The Congress of the Confederate States of America do enact*, That the Act entitled "An Act to provide for the Public Defence," approved sixth March, eighteen hundred and sixty-one, be, and the same is hereby, so amended that the provisions of the second section of said Act, limiting the term for which the militia may be called into service, to a period not exceeding six months, shall not apply to men drafted into service by the several States, and furnished by said States to the President, for service for three years or during the war, in response to requisitions made upon said States according to law.

Approved January 29, 1862.

An Act supplemental to an Act entitled "An Act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army."

The Congress of the Confederate States of America do enact, That the provisions of the above entitled Act, so far as the same are applicable to re-enlistment of twelve months volunteers, be, and the same are hereby, extended to troops now in the service of any State for a term not less than three months, who may re-enlist in the service of the Confederate States, according to provisions of said Act, for a term which, added to their present term of service, may amount to three years.

Approved February 3, 1862.

AN ACT supplementary to an Act entitled "An Act to amend an Act entitled An Act to raise an additional force to serve during the war, and for other purposes," approved May eighth, eighteen hundred and sixty-one.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the second section of the above recited Act, requiring the election of field and company officers by regiments and companies, shall not apply to companies, battalions and regiments raised under the fourth section of said Act; but the officers appointed by the President to raise such companies, battalions and regiments shall be the officers of the same; and the commissions of such officers granted by the President shall, when their respective commands are fully organized, be absolute.

APPROVED February 3, 1862.

AN ACT to authorize and provide for the organization of the Maryland Line.

SECTION 1. *The Congress of the Confederate States of America do enact*, That all native or adopted citizens of the State of Maryland who have heretofore volunteered, are now in, or may hereafter volunteer in the service of the Confederate States, may, at their option, be organized and enrolled into companies, squadrons, battalions and regiments, and with the First Maryland Regiment, and several companies now in service, into one or more brigades, to be known as the Maryland Line; said organization to be in accordance with existing laws.

APPROVED February 15, 1862.

AN ACT to fix the Rank of Certain Officers.

The Congress of the Confederate States of America do enact, That the rank of commissioned officers of regiments, battalions, squadrons, and companies, who continue in service by re-election in regiments, battalions, squadrons, or companies, organized of troops re-enlisting under the act providing for the granting of bounty and furloughs to privates and non-commissioned officers in the Provisional Army, approved December eleventh, eighteen hundred and sixty-one, and the Act supplemental thereto, approved February third, eighteen hundred and sixty-two, or under the act to provide for the recruiting companies now in the service of the Confederate States for twelve months, approved January twenty-ninth, eighteen hundred and sixty-two, shall date from the time of their original election or appointment: *Provided*, such officers shall be re-elected or appointed to offices of the same grade in the same corps.

APPROVED February 15, 1862.

AN ACT to amend an Act approved May 10th, 1861, entitled "An Act to amend an Act to provide for the public defence," approved March 6th, 1861.

The Congress of the Confederate States of America do enact, That the act approved May tenth, 1861 entitled "An Act to amend an act to provide for the public defence," approved March sixth, 1861, be, and the same is hereby, so amended as to apply also to companies received into service for duty as Heavy Artillery.

SEC. 2. The provisions of this act and of the act of May tenth, 1861, shall extend to all companies of Light and Heavy Artillery, which are now in, or may be hereafter received into the service, and all acts or parts of acts in conflict therewith are hereby repealed.

APPROVED April 3, 1862.

AN ACT to provide for keeping all Fire-arms in the Armies of the Confederate States in the hands of effective men.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to organize companies, battalions, or regiments of troops, to be armed with pikes, or other available arms, to be approved by him, when a sufficient number of arms of the kind now used in the service cannot be procured; such companies, battalions, or regiments to be organized in the same manner as like organizations of infantry now are, under existing laws.

SEC. 2. *Be it further enacted*, That the President may cause the troops armed and organized as herein provided, to serve as similar organizations of infantry now do, or to attach troops so armed to other regiments in the service, in numbers not exceeding two companies of troops so armed to each regiment. And the colonel of the regiment to which such companies may be attached, shall have power to detail men from such companies to take the place of men in the companies armed with fire-arms, whenever vacancies may occur from death, or discharge, or in cases of absence, from sickness, furlough, or any other cause; the true intent and meaning of this provision being to render every fire-arm in the army available at all times, by having it always in the hands of a well and effective man.

SEC. 3. Immediately after the passage of this act it shall be the duty of the Secretary of War to furnish a copy of the same to every General in the service.

APPROVED April 10th, 1862.

AN ACT for the Payment of Musicians in the army not regularly enlisted.

The Congress of the Confederate States of America do enact, That whenever colored persons are employed as musicians in any regiment or company, they shall be entitled to the same pay now allowed by law to musicians regularly enlisted: *Provided*, that no such persons shall be so employed except by the consent of the commanding officer of the brigade to which said regiments or companies may belong.

APPROVED April 15, 1862.

AN ACT to further provide for the Public Defence.

In view of the exigencies of the country, and the absolute necessity of keeping in the service our gallant army, and of placing in the field a large additional force to meet the advancing columns of the enemy now invading our soil: Therefore—

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to call out and place in the military service of the Confederate States, for three years, unless the war shall have been sooner ended, all white men who are residents of the Confederate States, between the ages of eighteen and thirty-five years at the time the call or calls may be made, who are not legally exempted from military service. All of the persons aforesaid who are now in the armies of the Confederacy, and whose term of service will expire before the end of the war, shall be continued in the service for three years from the date of their original enlistment, unless the war shall have been sooner ended: *Provided, however*, That all such companies, squadrons, battalions, and regiments, whose term of original enlistment was for twelve months, shall have the right, within forty days, on a day to be fixed by the Commander of the Brigade, to re-organize said companies, battalions, and regiments, by electing all their officers, which they had a right heretofore to elect, who shall be commissioned by the President: *Provided further*, That furloughs not exceeding sixty days, with transportation home and back, shall be granted to all those retained in the service by the provisions of this Act beyond the period of their original enlistment, and who have not heretofore received furloughs under the provisions of an Act entitled "An Act providing for the granting of bounty and furloughs to privates and non commissioned officers in the Provisional Army," approved eleventh December, eighteen hundred and sixty-one, said furloughs to be granted at such times and in such numbers as the Secretary of War may deem most compatible with the public

interest: and *Provided further*, That in lieu of a furlough the commutation value in money of the transportation herein above granted, shall be paid to each private, musician, or non-commissioned officer who may elect to receive it, at such time as the furlough would otherwise be granted: *Provided further*, That all persons under the age of eighteen years or over the age of thirty-five years, who are now enrolled in the military service of the Confederate States, in the regiments, squadrons, battalions, and companies hereafter to be re-organized, shall be required to remain in their respective companies, squadrons, battalions, and regiments for ninety days, unless their places can be sooner supplied by other recruits not now in the service, who are between the ages of eighteen and thirty-five years; and all laws and parts of laws providing for the re-enlistment of volunteers and the organization thereof into companies, squadrons, battalions, or regiments, shall be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That such companies, squadrons, battalions, or regiments organized, or in process of organization by authority from the Secretary of War, as may be within thirty days from the passage of this act, so far completed as to have the whole number of men requisite for organization actually enrolled, not embracing in said organizations any persons now in service, shall be mustered into the service of the Confederate States as part of the land forces of the same, to be received in that arm of the service in which they are authorized to organize, and shall elect their company, battalion, and regimental officers.

SEC. 3. *Be it further enacted*, That for the enrollment of all persons comprehended within the provisions of this act, who are not already in service in the armies of the Confederate States, it shall be lawful for the President, with the consent of the Governors of the respective States, to employ State officers, and on failure to obtain such consent, he shall employ Confederate officers, charged with the duty of making such enrollment in accordance with rules and regulations to be prescribed by him.

SEC. 4. *Be it further enacted*, That persons enrolled under the provisions of the preceding section, shall be assigned by the Secretary of War, to the different companies now in the service, until each company is filled to its maximum number, and the persons so enrolled shall be assigned to companies from the States from which they respectively come.

SEC. 5. *Be it further enacted*, That all Seamen and ordinary Seamen in the land forces of the Confederate States, enrolled under the provisions of this Act, may, on application to the Secretary of the Navy, be transferred from the land forces to the Naval service.

SEC. 6. *Be it further enacted*, That in all cases where a State may not have in the army a number of regiments, battalions, squadrons, or companies, sufficient to absorb the number of persons subject to military service under this Act, belonging to such State, then the residue or excess thereof shall be kept as a reserve, under such regulations as may be established by the Secretary of War, and that at stated periods of not greater than three months, details, determined by lot, shall be made from said reserve, so that each company shall, as nearly as practicable, be kept full: *Provided*, That the persons held in reserve may remain at home until called into service by the President: *Provided, also*, That during their stay at home, they shall not receive pay: *Provided, further*, That the persons comprehended in this Act, shall not be subject to the Rules and Articles of War, until mustered into the actual service of the Confederate States; except that said persons, when enrolled and liable to duty, if they shall willfully refuse to obey said call, each of them shall be held to be a deserter, and punished as such, under said Articles: *Provided, further*, That whenever, in the opinion of the President, the exigencies of the public service may require it, he shall be authorized to call into actual service the entire reserve, or so much as may be necessary, not previously assigned to different companies in service under provision of section four of this Act; said reserve shall be organized under such rules as the Secretary of War may adopt: *Provided*, The company, battalion, and regimental officers shall be elected by the troops composing the same: *Provided*, The troops raised in any one State shall not be combined in regimental, battalion, squadron, or company organization with troops raised in any other States.

SEC. 7. *Be it further enacted*, That all soldiers now serving in the army or mustered into the military service of the Confederate States, or enrolled in said service under the authorizations heretofore issued by the Secretary of War, and who are continued in the service by virtue of this Act, who have not received the bounty of fifty dollars allowed by existing laws, shall be entitled to receive said bounty.

SEC. 8. *Be it further enacted*, That each man who may hereafter be mustered into service, and who shall arm himself with a musket, shot-gun, rifle, or carbine, accepted as an efficient weapon, shall be paid the value thereof, to be ascertained by the mustering officer under such regulations as may be prescribed by the Secretary of War, if he is willing to sell the same, and if he is not, then he shall be entitled to receive one dollar a month for the use of said received and approved musket, rifle, shot-gun, or carbine.

SEC. 9. *Be it further enacted*, That persons not liable for duty may be received as substitutes for those who are, under such regulations as may be prescribed by the Secretary of War.

SEC. 10. *Be it further enacted*, That all vacancies shall be filled by the President from the company, battalion, squadron, or regiment in which such vacancies shall occur, by promotion according to seniority, except in case of disability or other incompetency: *Provided, however*, That the President may, when in his opinion, it may be proper, fill such vacancy or vacancies by the promotion of any officer or officers, or private or privates, from such company, battalion, squadron, or regiment, who shall have been distinguished in the service by exhibition of valor and skill; and that whenever a vacancy shall occur in the lowest grade of the commissioned officers of a company, said vacancy shall be filled by election: *Provided*, That all appointments made by the President shall be by and with the advice and consent of the Senate.

SEC. 11. *Be it further enacted*, That the provisions of the first section of this Act, relating to the election of officers, shall apply to those regiments, battalions, and squadrons which are composed of twelve months and war companies combined in the same organization, without regard to the manner in which the officers thereof were originally appointed.

SEC. 12. *Be it further enacted*, That each company of infantry shall consist of one hundred and twenty-five, rank and file; each company of field artillery of one hundred and fifty, rank and file; each of cavalry, of eighty, rank and file.

SEC. 13. *Be it further enacted*, That all persons subject to enrollment, who are not now in the service, under the provisions of this Act, shall be permitted, previous to such enrollment, to volunteer in companies now in the service.

APPROVED April 16, 1862.

AN ACT to organize a Signal Corps.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized by and with the advice and consent of the Senate, to appoint ten officers in the Provisional Army, of a grade not exceeding that of Captain, and with the pay of corresponding grades of Infantry, who shall perform the duties of Signal Officers of the Army. And the President is hereby authorized to appoint ten Sergeants of Infantry, in the Provisional Army, and to assign them to duty as Signal Sergeants. The Signal Corps above authorized may be organized as a separate corps, or may be attached to the Department of the Adjutant and Inspector-General, or to the Engineer Corps, as the Secretary of War shall direct.

APPROVED April 19, 1862.

AN ACT to increase the military establishment of the Confederate States, and to amend the "Act for the establishment and organization of the Army of the Confederate States of America."

The Congress of the Confederate States of America do enact, That the number of Ordnance Sergeants authorized by section six of "An Act to increase the Military Establishment of the Confederate States," &c., approved May 16th, 1861, be so increased as to provide one for each regiment of the troops now or hereafter received in the service.

APPROVED April 19, 1862.

AN ACT to authorize the employment of Drill Masters.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized and empowered to appoint Drill Masters for Camps of Instruction or reserve forces in any arm of the military service, with such pay as the Secretary of War may prescribe.

APPROVED April 19, 1862.

AN ACT to provide for the payment of officers of the Virginia Militia for services rendered.

The Congress of the Confederate States of America do enact, That all officers and non-commissioned officers of the Virginia Militia who have been called into the service of the Confederate States, by the order of any commanding officer of the Confederate States Army, authorized to make such call, or by the proclamation of the Governor of Virginia, in obedience to requisitions duly made upon him by the President, shall be allowed, under the direction of the Quartermaster-General, compensation for the period of their actual service, according to the rate of pay and allowances, to which officers and non-commissioned officers of corresponding grades, in the Confederate States Army, are by law entitled.

SEC. 2. Before any officer of militia shall be entitled to receive pay under the provisions of the preceding section, he shall present to the proper officer to whom he may apply for payment, a certificate signed by the commandant of the brigade, regiment or battalion of militia to which he may have been attached, and approved by the Commanding General of the army, corps or department, with which such brigade, regiment or battalion was serving, which certificate shall state the precise period during which such officer was actually in service and performed duty according to his rank, not including in such period whatever time such officer was absent

from duty with his command, unless absent on furlough, or detached or detailed service, by order of the Commanding officer. Non-commissioned officers shall be required to present like certificates, signed by the commanding officer of the regiment or battalion to which they belong, before being entitled to receive their pay.

SEC. 3. All staff officers of the Virginia militia duly appointed and qualified, according to the laws of Virginia, shall be entitled to receive the same pay and allowances as are provided by law for officers of corresponding grades, in the Confederate States Army, upon a like certificate that they have actually been in service and performed the duties prescribed for their respective grades by the laws of Virginia, and the laws and army regulations of the Confederate States.

SEC. 4. No payments under this act shall be allowed for any period subsequent to the thirtieth day of March, eighteen hundred and sixty-two, nor shall any junior Major of a regiment to which two Majors may be attached, nor any Paymaster or Surgeon's mate be deemed to be entitled to pay or allowances under the provisions of this act.

APPROVED April 19, 1862.

AN ACT to increase the clerical force of the Quartermaster-General's Bureau.

The Congress of the Confederate States of America do enact, That the Secretary of War be, and he is hereby, authorized to appoint eight additional clerks in the Bureau of the Quartermaster-General, at the following rates of compensation, to-wit: two at the rate of fifteen hundred dollars per annum; two at the rate of twelve hundred dollars per annum; and four at the rate of one thousand dollars per annum: *Provided*, that no person now by law subject to military duty shall be appointed.

APPROVED APRIL 19, 1862.

AN ACT to amend an act entitled "An Act to increase the corps of Artillery, and for other purposes," approved August 21, 1861.

The Congress of the Confederate States of America do enact, That section third of an act entitled "An Act to increase the corps of Artillery and for other purposes, approved August 21st, 1861, be so amended as to authorize the President to increase the salaries of master armorers or any of them to a sum not exceeding two thousand dollars per annum.

APPROVED April 19, 1862.

AN ACT to amend the several Acts in relation to the pay of Chaplains in the Army.

The Congress of the Confederate States of America do enact, That hereafter the pay of Chaplains in the army shall be eighty dollars per month, with rations as now provided by law.

APPROVED April 19, 1862.

AN ACT to recognize the organization of certain military companies.

The Congress of the Confederate States of America do enact, That in all cases heretofore occurring where companies not having the minimum number of men necessary to form a company as required by existing laws, have been organized into companies which have entered into the service by order of a Commanding General or been received by such officer into the service, in all such cases the Secretary of War is hereby authorized and required to recognize said companies as if duly organized under existing laws, and the officers of said companies are hereby declared as entitled to the same rank to which they would have been entitled if the companies had been duly organized; and the officers and men thereof shall be entitled to draw their pay and rations as if they had been duly authorized under existing laws.

APPROVED April 19, 1862.

AN ACT to punish Drunkenness in the Army.

The Congress of the Confederate States of America do enact, That any commissioned officer of the Regular or Provisional Army who shall be found drunk, either while on or off duty, shall, on conviction thereof before a court of inquiry, be cashiered or suspended from the service of the Confederate States, or be publicly reprimanded, according to the aggravation of the offence, and in addition to a sentence cashiering any such officer, he may also be declared incapable of holding any military office under the Confederate States during the war.

SEC. 2. That it shall be the duty of all officers to report to the commanding officer of the post, regiment, or corps to which they belong, all cases coming under their observation of intoxication of commissioned officers, whether of superior or inferior grades to themselves; and it shall be the duty of the commanding officer of the division or brigade to which said post, regiment, or corps belongs, to whom such report may be made, to report the same to the officer commanding the brigade or division, who shall organize said court and order the trial of said offender at the earliest time consistent with the public service.

JOINT RESOLUTION to aid our prisoners in the hands of the enemy.

Resolved by the Congress of the Confederate States of America, That the Secretary of War be authorized to apply out of the contingent fund of the War Department, such sums of money, from time to time, as, in his judgment, may be necessary for the aid of prisoners of war in the hands of the enemy: *Provided*, That all sums paid any prisoner, or expended for him, shall be charged to his account.

APPROVED March 25, 1862.

AN ACT to amend an Act entitled "An Act to provide for the Public Defence."

The Congress of the Confederate States of America do enact, That the sixth section of the act to provide for the public defence, approved on 6th March, 1861, be amended by adding after the words "brigades into divisions," the words "and divisions into army corps," and such army corps shall be commanded by a Lieutenant-General, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay of a Brigadier-General.

APPROVED September 18, 1862.

AN ACT to authorize the appointment of additional Officers of Artillery for Ordnance Duties.

The Congress of the Confederate States of America do enact, That the President, by and with the advice and consent of the Senate, may appoint seventy officers of artillery in the Provisional Army, for the performance of ordnance duties, in addition to those authorized by the Act entitled "An Act to authorize the appointment of officers of artillery in the Provisional Army," approved April 21st, 1862, and that from the whole number of artillery officers appointed to discharge ordnance duties, there shall be one with the rank of Lieutenant-Colonel for each command composed of more than one army corps, with the rank of Major for each army corps composed of more than one division, and the residue with the rank of Captain, and of First and Second Lieutenant, in such proportion as the President may prescribe.

APPROVED September 16, 1862.

AN ACT in relation to the Transfer of Troops.

The Congress of the Confederate States of America do enact, That it shall be the duty of the Secretary of War to transfer any

private or non-commissioned officer, who may be in a regiment from a State of this Confederacy other than his own to a regiment from his own State, whenever such private or non-commissioned officer may apply for such transfer, and whenever such transfer can be made without injury to the public service; and the Secretary of War shall make regulations to facilitate such transfer: *Provided*, That this act shall not apply to any one who has enlisted as a substitute.

APPROVED September 23, 1862.

AN ACT to regulate the rank of Officers of the Provisional Corps of Engineers.

The Congress of the Confederate States of America do enact, That the officers of the Engineer Corps of the Provisional Army may have rank conferred on them during the War, equal to that authorized by law for the Engineer Corps of the Confederate States Army: *Provided*, That the number of officers in each grade be limited to one Colonel, three Lieutenant Colonels, six Majors, fifty Captains, thirty First Lieutenants and twenty Second Lieutenants.

APPROVED September 23, 1862.

AN ACT to increase the Signal Corps.

The Congress of the Confederate States of America do enact, That the President, by and with the advice and consent of the Senate, may appoint one Major, ten First and ten Second Lieutenants in the signal corps, and that the Secretary of War may appoint twenty additional sergeants in the said corps.

APPROVED September 27, 1862.

AN ACT to amend an Act entitled "An Act to provide further for the Public Defence," approved April sixteenth, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to call out and place in the military service of the Confederate States for three years, unless the war should have been sooner ended, all white men who are residents of the Confederate States, between the ages of thirty five and forty five years at the time the call or calls may be made, and who are not, at such time or times, legally exempted from military service, or such part thereof as, in his judgment, may be necessary to the public defence, such call or calls to be made under the provisions and according to the terms of the act to which

AN ACT to organize Battalions of Sharp Shooters.

The Congress of the Confederate States of America do enact, That the Secretary of War may cause to be organized a battalion of sharp-shooters for each brigade, consisting of not less than three nor more than six companies, to be composed of men to be selected from the brigade or otherwise, and armed with long range muskets, or rifles, said companies to be organized, and the commissioned officers therefor appointed by the President, by and with the advice and consent of the Senate. Such battalion shall constitute parts of the Brigades to which they belong, and shall have such field and staff officers as are authorized by law for similar battalions, to be appointed by the President, by and with the advice and consent of the Senate.

SEC. 2. *Be it further enacted*, That for the purpose of arming the said battalion, the long range muskets and rifles in the hands of the troops, may be taken for that purpose: *Provided*, the Government has not at its command a sufficient number of approved long range rifles or muskets, wherewith to arm said corps.

APPROVED April 21, 1862.

AN ACT supplementary to "An act further to provide for the Public Defence."

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to accept the services of any companies, squadrons, battalions, or regiments which have been organized and are now in service under the authority of any of the States of the Confederacy, and which may be tendered by the Governors of said States, with an organization conforming to the act of March sixth, A. D., eighteen hundred and sixty-one, "to provide for the public defence."

APPROVED April 21, 1862.

AN ACT to exempt certain persons from enrollment for service in the Armies of the Confederate States.

The Congress of the Confederate States of America do enact, That all persons who shall be held to be unfit for military services under rules to be prescribed by the Secretary of War; all in the service or employ of the Confederate States; all judicial and executive officers of Confederate or State Governments; the members of both Houses of Congress and of the Legislatures of the several States and their respective officers; all clerks of the officers of the State and Confederate Governments allowed by law;

all engaged in carrying the mails; all ferrymen on post routes; all pilots and persons engaged in the marine service and in actual service on river and railroad routes of transportation; telegraphic operators, and ministers of religion in the regular discharge of ministerial duties; all engaged in working iron mines, furnaces, and foundries; all journeymen printers actually employed in printing newspapers; all presidents and professors of colleges and academies, and all teachers having as many as twenty scholars; superintendents of the public hospitals, lunatic asylums and the regular nurses and attendants therein, and the teachers employed in the institutions for the deaf and dumb, and blind: in each apothecary store now established and doing business, one apothecary in good standing who is a practical druggist; superintendents and operatives in wool and cotton factories, who may be exempted by the Secretary of War;—shall be, and are hereby, exempted from military service in the armies of the Confederate States.

Approved April 21, 1862.

An Act to amend an act entitled "An Act to further provide for the Public Defence," passed the sixteenth day of April, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That all vacancies shall be filled by the President from the company, battalion, squadron, or regiment in which such vacancies shall occur, by promotion, according to seniority, except in case of disability or other incompetency, and that whenever a vacancy shall occur in the lowest grade of commissioned officers of a company, such vacancies shall be filled by election: *Provided, however,* That the President may, when in his opinion it is proper, fill any vacancy by the promotion of any officer from any company, battalion, squadron, or regiment in which the same may occur, who shall have been distinguished in service by the exhibition of extraordinary valor and skill; and that when any vacancy shall occur in the lowest grade of commissioned officers of any company, the same may be filled by selection by the President of any non-commissioned officer or private from the company in which said vacancy may occur, who shall have been distinguished in the service by the exhibition of extraordinary valor and skill; and that appointments made by the President shall be by and with the advice and consent of the Senate.

Approved April 21, 1862.

Sec. 3. The findings of any such court shall be promptly transmitted to the Secretary of War, by the commanding officer, together with his approval or disapproval thereof, and shall be reported to Congress at the next session thereafter, by the said Secretary.

Approved April 21, 1862.

An Act to organize bands of Partizan Rangers.

The Congress of the Confederate States of America do enact, that the President be, and he is hereby, authorized to commission such officers as he may deem proper with authority to form bands of Partizan Rangers, in companies, battalions, or regiments, either as infantry or cavalry, the companies, battalions, or regiments to be composed each of such numbers as the President may approve.

Sec. 2. *Be it further enacted*, That such Partizan Rangers, after being regularly received into service, shall be entitled to the same pay, rations, and quarters during their term of service, and be subject to the same regulations as other soldiers.

Sec. 3. *Be it further enacted*, That for any arms and munitions of war captured from the enemy by any body of Partizan Rangers and delivered to any Quartermaster at such place or places as may be designated by a Commanding General, the Rangers shall be paid their full value in such manner as the Secretary of War may prescribe.

Approved April 21, 1862

A Bill [An Act] for the enlistment of Cooks in the Army.

The Congress of the Confederate States of America do enact, That hereafter it shall be the duty of the Captain or Commanding Officer of his Company to enlist four cooks for the use of his company, whose duty it shall be to cook for such company—taking charge of the supplies, utensils, and other things furnished therefor, and safely keep the same, subject to such rules and regulations as may be prescribed by the War Department or the Colonel of the Regiment to which such company may be attached:

Sec. 2. *Be it further enacted*, That the cooks so directed to be enlisted, may be white or black, free or slave persons: *Provided, however*, That no slave shall be so enlisted without the written consent of his owner. And such cooks shall be enlisted as such only, and put on the muster-roll and paid at the time and place the company may or shall be paid off, twenty dollars per month to the Chief or Head Cook, and fifteen dollars per month for each of the Assistant Cooks, together with the same allowance for clothing,

or the same commutation therefor that may be allowed to the rank and file of the company.

APPROVED April 21, 1862.

AN ACT to increase the corps of Engineers of the Provisional Army.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to appoint with the advice and consent of the Senate, an additional number of officers in the Engineer corps of the Provisional Army, of a rank not higher than Captain; *Provided*, That the whole corps shall not exceed one hundred.

APPROVED April 21, 1862.

AN ACT to authorize the appointment of Officers of Artillery in the Provisional Army.

The Congress of the Confederate States of America do enact, That for the purpose of enlarging the number of officers of Artillery, and enabling them to discharge more effectually the duties of Ordnance officers, the President is hereby authorized to appoint, with the advice and consent of the Senate, officers of Artillery, of the rank of Captain and First Lieutenant, in the Provisional Army, not exceeding eighty in number.

APPROVED April 21, 1862.

AN ACT to amend an act entitled "An Act to amend an act recognizing the existence of War between the United States and the Confederate States, and concerning Letters of Marque, Prizes, and Prize Goods," approved May 21st, 1861.

The Congress of the Confederate States of America do enact, That the first section of the above entitled Act be so amended, that, in case any person or persons shall invent or construct any new machine or engine, or contrive any new method for destroying the armed vessels of the enemy, he or they shall receive fifty per centum of the value of each and every such vessel that may be sunk or destroyed, by means of such invention or contrivance, including the value of the armament thereof, in lieu of twenty per centum, as provided by said Act.

APPROVED April 21st. 1862.

this is an amendment, and such authority shall exist in the President, during the present war, as to all persons who now are or may hereafter become eighteen years of age, and when once enrolled, all persons between the ages of eighteen and forty-five shall serve their full term: *Provided*, That if the President, in calling out troops into the service of the Confederate States, shall first call for only a part of the persons between the ages heretofore stated, he shall call for those between the ages of thirty-five and any other age less than forty-five: *Provided*, That nothing herein contained shall be understood as repealing or modifying any part of the Act to which this is amendatory, except as herein expressly stated: *And provided further*, That those called out under this Act and the Act to which this is an amendment, shall be first and immediately ordered to fill to their maximum number the companies, battalions, squadrons and regiments from the respective States at the time the Act to further provide for the public defence, approved April sixteenth, eighteen hundred and sixty two, was passed, and the surplus, if any, shall be assigned to organizations formed from each State since the passage of that act, or placed in new organizations to be officered by the State having such residue, according to the laws thereof, or disposed of as now provided by law: *Provided*, That the President is authorized to suspend the execution of this act, or the act to which this is an amendment, in any locality where he may find it impracticable to execute the same, and that in such locality, and during said suspension, the President is authorized to receive troops into the Confederate service, under any of the acts passed by the Confederate Congress prior to the passage of the act to provide further for the public defence, approved sixteenth of April, eighteen hundred and sixty-two.

Approved September 27, 1862.

An Act to better provide for the Sick and Wounded of the Army in Hospitals.

The Congress of the Confederate States of America do enact, That the commutation value of rations of sick and disabled soldiers in the Hospitals of the Confederate States, is hereby fixed at one dollar, instead of the commutation now allowed by law, which shall constitute the hospital fund, and be held by the commissary, and be paid over by him from time to time to the Surgeon or Assistant Surgeon in charge of the hospital of which the soldier, whose ration was commuted, is an inmate, upon the said Surgeon or Assistant Surgeon's requisition, made in writing, when necessary to purchase supplies for said hospital: *Provided, however*, When said fund for any one Hospital shall increase over and above the month-

ly expenditures of the same to an amount exceeding the sum of five thousand dollars, the said commissary shall be required to deposit the said excess over and above the said five thousand dollars in the Treasury of the Confederate States, or such other places of deposit where Government moneys are ordered to be kept; which said deposits, when so made, shall be passed to the credit of the said Confederate States, and be liable to draft as other public moneys are; and all such funds shall be accounted for by the said Commissary in his monthly report, and the abstract, as now required by law; *And provided further*, That all such Surgeons and Assistant Surgeons who shall receive from the said Commissary any part of said hospital fund, to be expended for the use of hospitals, shall be held liable for a faithful application of it, and in a weekly account and abstract, to be made out and forwarded to the office of the Surgeon-General, to be verified in every instance by vouchers, shall show what disposition has been made of it, which account, abstract, and accompanying vouchers, shall be placed on file.

SEC. 2. That the Secretary of War is hereby authorized and directed to make contracts with the several railroad companies and lines of boats, for the speediest practicable transportation of all supplies purchased for the use of hospitals by agents accredited by the Surgeon or Assistant Surgeons in charge for that purpose, or donations by individuals, societies or States, and it shall be lawful for the Quartermaster General to furnish general transportation tickets to such agents upon all railroad trains and canal boats, when engaged in the actual service of said hospitals, upon the request of said Surgeon or Assistant Surgeon.

SEC. 3. That there shall be allowed to each hospital of the Confederate States, suits of clothing consisting of shirts, pantaloons, and drawers, equal to the number of beds in the same, for the use of the sick while in the hospitals, when so ordered by the Surgeon or Assistant Surgeon in charge, which said clothing shall be drawn upon the written requisition of said Surgeon or Assistant Surgeon, and shall be receipted for and kept as hospital clothing, and be accounted for as other public property.

SEC. 4. That there be allowed to each hospital, with rations and suitable places of lodging, the following matrons and female nurses and attendants, viz: Two matrons, to be known and designated as hospital matrons-in-chief, at a salary not to exceed forty dollars per month each, whose general duties shall be to exercise a superintendence over the entire domestic economy of the hospitals, to take charge of such delicacies as may be provided for the sick; to apportion them out as required; to see that the food or diet is properly prepared, and all such other duties as may be necessary.

Two matrons to be known and designated as assistant matrons, whose general duties shall be to superintend the laundry; to take charge of the clothing of the sick, the bedding of the hospital; to see that they are kept clean and neat, and perform such other duties as may be necessary, at a salary not to exceed thirty-five dollars per month each. Two matrons for each ward at a salary not to exceed thirty dollars per month each, to be known and designated as ward matrons, whose general duties shall be to prepare the beds and bedding of their respective wards, to see that they are kept clean and in order, that the food or diet for the sick is carefully prepared and furnished to them, the medicine administered, and that all patients requiring careful nursing are attended to, and all such other duties as may be necessary. And all Surgeons and Assistant Surgeons in charge of a hospital, are hereby authorized to employ such other nurses, either male or female, as may be necessary to the proper care and attention of the sick, at a salary each not to exceed twenty-five dollars per month; and also the necessary cooks, at a salary not to exceed twenty-five dollars per month each, and one ward master for each ward, at a salary not to exceed twenty five dollars per month each, giving preference in all cases to females, where their services may best subserve the purpose, and in the event a sufficient number of such nurses and ward masters cannot be employed not liable to military service, and it shall become necessary to assign to this duty soldiers in the service, then, upon the requisition of such Surgeon or Assistant Surgeon in charge of such hospital, the soldier or soldiers so assigned, who are skillful and competent, shall be permanently detailed to this duty, and shall only be removable for neglect or inattention by the Surgeon or Assistant Surgeon in charge: *Provided*, in all cases, that all other attendants and servants, not herein provided for, necessary to the service of said hospital, shall be allowed, as now provided by law.

SEC. 5. That the hospitals of the Confederate States shall hereafter be known and numbered as hospitals of a particular State; and in all cases where the same can be done without injury to the patients or great inconvenience to the Government, all sick or wounded soldiers, being citizens or residents of such particular State, shall be sent to such hospitals as may represent the same, and to such private or State hospitals representing the same, which may be willing to receive them.

SEC. 6. That all persons authorized to be employed by Section fourth of this act, who are not engaged in the military service, and whose pay is not now provided for by law, shall be paid monthly by any Quartermaster or other person authorized to pay troops in the military service, upon a muster or pay roll to be made out

and certified to by the Surgeon or Assistant Surgeon having in charge the hospital or hospitals in which said persons have been employed.

SEC. 7. That the Secretary of War is hereby authorized, in such way and manner as he may deem best, and under such rules and regulations as he may prescribe, to enter into and perfect some suitable arrangement with the railroad companies, their officers or authorized agents, whereby seats in one or more cars of each railroad train, as the necessities of the case may be, shall be reserved for the use of the sick and wounded soldiers who may desire transportation on any such railroad, and that no person not sick or wounded, and not an attendant upon the sick or wounded, shall be permitted to enter any such car or cars so reserved until the said sick and wounded and their attendants shall first have obtained seats; and also, shall perfect some arrangement with the said railroad companies, their officers or agents, whereby all conductors having in charge any such trains, shall be required to provide for the use of the sick and wounded in the cars so reserved, a sufficient quantity of pure water.

SEC. 8. That all Surgeons and Assistant Surgeons in charge of a hospital, having in his or their charge any sick or wounded soldier desiring transportation as aforesaid, shall, in all cases, detail some competent person acting under his or their authority, whose duty it shall be to accompany all such sick and wounded to the depot of any such railroad, to see that all such are properly cared for, and that they obtain seats in the said car or cars so reserved.

APPROVED September 27, 1862.

AN ACT to amend an Act entitled "An Act providing for the appointment of Adjutants of Regiments and Legions of the grade of Subaltern, in addition to the Subalterns attached to Companies," approved August thirty-first, eighteen hundred and sixty-one.

The Congress of the Confederate States of America do enact, That the provisions of said Act shall be extended so as to apply to independent battalions, and that on the recommendation of the commander of any such battalion, an Adjutant of the grade of Subaltern may be appointed by the President for said battalion, who is not attached as subaltern to said battalion, and that said Adjutant, when so appointed, shall have the same rank, pay and allowance as are provided by law for Adjutants of regiments.

APPROVED Oct. 2, 1862.

AN ACT supplemental to. "An Act authorizing the Secretary of War to grant Transfers," approved September twenty-third, eighteen hundred and sixty-two.

The Congress of the Confederate States of America do enact, That whenever the Secretary of War shall grant transfers agreeable to the above act to any soldiers now in the service, he shall furnish transportation also.

APPROVED October 2, 1862.

AN ACT to empower certain persons to administer Oaths in certain cases.

The Congress of the Confederate States of America do enact, That the oath required to enable sick, wounded, or other soldiers, to receive their pay, may be taken before any Quartermaster, who is hereby authorized to administer the same, or before any justice of the peace having jurisdiction, or any other officer having the right by the laws of the State to administer oaths.

APPROVED October 2, 1862.

AN ACT to permit enlistments in the Navy and Marine Corps.

The Congress of the Confederate States of America do enact, That, from and after the passage of this Act, any person subject to enrollment for military service, under the Acts of Congress providing for the public defence, shall be permitted to enlist in the Marine Corps at any time prior to being mustered into the Army of the Confederate States: *Provided*, That the number of men so enlisted does not increase the Marine Corps beyond the strength authorized by law.

SEC. 2. That if any person who has been, or is about to be, enrolled for service in the army, shall, at any time before being assigned to any company, declare to the enrolling or commanding officer that he prefers being enrolled for service in the Navy or Marine Corps, it shall be the duty of the said officer to enroll such person for the service which he may prefer, and to transmit to the Secretary of the Navy a list of the persons so enrolled.

SEC. 3. That from and after the passage of this Act, the pay of sailors and marines shall be increased four dollars per month.

APPROVED October 2, 1862.

AN ACT supplementary to "An Act concerning the pay and allowances due deceased Soldiers," approved February fifteenth, eigh-

teen hundred and sixty-two, and to provide for the prompt settlement of Claims for arrearages of pay, allowances and bounty, due deceased Officers and Soldiers.

The Congress of the Confederate States of America do enact, That claims due to deceased non-commissioned officers and privates for pay, allowances and bounty, may be audited and paid without the necessity of the parties entitled producing a pay roll from the Captain or Commanding Officer, when there is other official evidence of the amount due, satisfactory to the Second Auditor, under such regulations as he has or may prescribe, with the approval of the Secretary of War.

SEC. 2. The claims of deceased commissioned officers shall be paid to their heirs or representatives in the same manner as similar claims of non-commissioned officers and privates are now, or may be directed by law, to be paid; and to assist the Second Auditor in more effectually carrying out the provisions of this Act, and other pressing business of his office, the Secretary of the Treasury is authorized to appoint an experienced accountant, who, with the chief clerk, shall have authority to sign and attest such official business as said auditor shall approve and direct.

SEC. 3. The Secretary of the Treasury is hereby authorized to employ, in the office of the Second Auditor, as many additional temporary clerks as he may think necessary, to assist said Auditor in the settlement of the claims of deceased officers and soldiers, the compensation of said clerks to be four dollars per day, and without any addition whatever, for every day they shall be so actually engaged, except one, whose annual compensation shall be fifteen hundred dollars, the others to be paid weekly at the Treasury, upon a certificate of service of said Auditor.

SEC. 4. This act shall take effect from its passage, and the third section shall continue in force for twelve months, and no longer.

APPROVED October 3, 1862.

AN ACT to provide for the organization of Army Corps.

The Congress of the Confederate States of America do enact, That the sixth section of an act to provide for the public defence, approved March sixth, 1862, be so amended as to authorize the President to organize Divisions of the Provisional Army of the Confederate States into army corps, and, by and with the advice and consent of the Senate, to appoint officers to the command thereof.

APPROVED October 6, 1862.

AN ACT to authorize the establishment of Camps of Instruction, and the appointment of officers to command the same.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to establish camps of instruction for persons enrolled for military service, at such places and in such numbers in the several States as he may deem necessary, and to appoint, by and with the advice and consent of the Senate, officers in the Provisional army with the rank and pay of Major, to superintend and command the same.

APPROVED October 8, 1862.

AN ACT to repeal the law authorizing Commutation for Soldiers' Clothing, and to require clothing to be furnished by the Secretary of War in kind.

The Congress of the Confederate States of America do enact, That so much of the existing law as provides commutation for clothing for soldiers in the service of the Confederacy, be, and the same is hereby repealed; and, hereafter, the Secretary of War shall provide in kind to the soldiers respectively, the uniform clothing prescribed by the regulations of the army of the Confederate States, and should any balance of clothing be due to any soldier at the end of the year, the money value of such balance shall be paid to such soldier, according to the value of such clothing fixed and announced by order from the War Department.

APPROVED October 8, 1862.

AN ACT to encourage the manufacture of Clothing and Shoes for the Army.

SECTION 1. *The Congress of the Confederate States of America do enact*, That the President is hereby authorized to import duty free, cards or card cloth, or any machinery or materials necessary for increasing the manufacture of clothing for the army, or any articles necessary for supplying the deficiency of clothing or shoes, or materials for shoes, for the army.

SEC. 2. *Be it further enacted*, That any machinery or parts of machinery or materials imported as aforesaid, may be worked on Government account, or leased or sold at the discretion of the President.

SEC. 3. *And be it further enacted*, That the President may extend the privileges of this act to companies or individuals, subject to such regulations as he may prescribe.

SEC. 4. That the clothing required to be furnished to the troops of the Provisional army under any existing law, may be of such kind as to color and quality as it may be practicable to obtain, any law to the contrary notwithstanding.

APPROVED October 8, 1862.

AN ACT to amend an act entitled "An Act to further provide for the Public Defence," approved 16th of April, 1862, and the act to amend the same, approved September 27th, 1862.

The Congress of the Confederate States of America do enact, That all persons subject to enrollment for military service may be enrolled under instructions from the War Department and reported by the enrolling officer wherever found, whether within the State or county of their residence or not; and when so enrolled, shall be subject to the provisions of law as fully as if enrolled within the county or State of which they may be residents: *Provided*, That this act shall not extend to any member of a military organization under any State law, while he remains in actual service within the limits of his State. *And provided, further*, That the President is authorized to suspend the execution of this act as regards the residents of any locality where he may find it impracticable to execute the act entitled "An Act to further provide for the public defence, approved April 16th, 1862, and the act to amend the last mentioned act, approved September 27th, 1862.

APPROVED October 8, 1862.

AN ACT to organize Military Courts to attend the army of the Confederate States in the field, and to define the Powers of said Courts

The Congress of the Confederate States of America do enact, That courts shall be organized, to be known as military courts, one to attend each army corps in the field, under the direction of the President. Each court shall consist of three members, two of whom shall constitute a quorum and each member shall be entitled to the rank and pay of a colonel of cavalry, shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold his office during the war, unless the court shall be sooner abolished by Congress. For each court there shall be one Judge Advocate, to be appointed by the President, by and with the advice and consent of the Senate, with the rank and pay of a captain of cavalry, whose duties shall be as prescribed by the Rules and Articles of war, except as enlarged or modified by the purpo-

ses and provisions of this act, and who shall also hold his office during the war, unless the court shall be sooner abolished by the Congress; and in case of the absence or disability of the Judge Advocate, upon the application of the court, the commander of the army corps to which such court is attached may appoint or detail an officer to perform the duties of Judge Advocate, during such absence or disability, or until the vacancy, if any, shall be filled by the President.

SEC. 2. Each court shall have the right to appoint a Provost Marshal, to attend its sittings and execute the orders of the court, with the rank and pay of a captain of cavalry; and also a clerk, who shall have a salary of one hundred and twenty-five dollars per month, who shall keep the record of the proceedings of the court, and shall reduce to writing the substance of the evidence in each case and file the same in court. The provost marshal and the clerk shall hold their offices during the pleasure of the court. Each member and officer of the court shall take an oath well and truly to discharge the duties of his office to the best of his skill and ability, without fear, favor, or reward, and to support the constitution of the Confederate States. Each member of the court, the Judge Advocate and the clerk, shall have the power to administer oaths.

SEC. 3. Each court shall have the power to adopt rules for conducting business and for the trial of causes, and to enforce the rules adopted, and to punish for contempt, and to regulate the taking of evidence, and to secure the attendance of witnesses, and to enforce and execute its orders, sentences, and judgments, as in cases of courts-martial.

SEC. 4. The jurisdiction of each court shall extend to all offences now cognizable by courts-martial under the Rules and Articles of war and the Customs of war, and also to all offences defined as crimes by the laws of the Confederate States or of the several States, and when beyond the territory of the Confederate States, to all cases of murder, manslaughter, arson, rape, robbery, and larceny, as defined by the common law, when committed by any private or officer in the army of the Confederate States, against any other private or officer in the army, or against the property or persons of any citizen or other person within the army: *Provided*, Said courts shall not have jurisdiction of offenders above the grade of colonel. For offences cognizable by courts-martial the court shall, on conviction, inflict the penalty prescribed by the Rules and Articles of war, and in the manner and mode therein mentioned; and for offences not punishable by the Rules and Articles of war, but punishable by the laws of the Confederate States, said court shall inflict the penalties prescribed by the laws of the Confederate States; and for offences against which penalties are not prescribed

by the Rules and Articles of war, nor by the laws of the Confederate States, but for which penalties are prescribed by the laws of a State, said court shall inflict the punishment prescribed by the laws of the State in which the offence was committed: *Provided*, that in cases in which, by the laws of the Confederate States, or by both, the court may, in its discretion, inflict any other punishment less than death; and for the offences defined as murder, manslaughter, arson, rape, robbery, and larceny, by the common law, when committed beyond the territorial limits of the Confederate States, the punishment shall be in the discretion of the court. That when an officer under the grade of Brigadier-General, or private, shall be put under arrest for any offence cognizable by the court herein provided for, notice of his arrest and of the offence with which he shall be charged shall be given to the Judge Advocate by the officer ordering said arrest, and he shall be entitled to as speedy a trial as the business before said court will allow.

Sec. 5. Said courts shall attend the army, shall have appropriate quarters within the lines of the army, shall be always open for the transaction of business, and the final decisions and sentences of said courts in convictions shall be subject to review, mitigation, and suspension, as now provided by the Rules and Articles of war in cases of courts-martial.

Sec. 6. That during the recesses of the Senate the President may appoint the members of the courts and the Judges Advocate provided for in the previous sections, subject to the confirmation of the Senate at its session next ensuing said appointments.

Approved October 9, 1862.

An Act to provide Shoes for the Army.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized, on the requisition of the Quartermaster-General, to detail from the army persons skilled in the manufacture of shoes, not to exceed two thousand in number; and it shall be the duty of the Quartermaster-General to place them, without delay, at suitable points in shops under proper regulations prescribed by him, and employ them diligently in the manufacture of shoes for the army.

Sec. 2d. *Be it further enacted*, That soldiers detailed under the provisions of this act shall be entitled to receive pay for extra duty, and also thirty-five cents per pair for shoes manufactured by them severally, in addition to regular pay and rations.

Approved October 9, 1862.

AN ACT to authorize the President to accept and place in the service certain Regiments and Battalions heretofore raised.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized and empowered, whenever in his opinion the public good would be promoted thereby, to receive into the service regiments or battalions which have been organized in good faith prior to the 1st day of October, 1862, under authority or by direction of the Secretary of War, or any general officer of the Government, although said regiments or battalions may be composed in part of persons between the ages of eighteen and thirty-five years: *Provided*, That this authority shall not extend to regiments or battalions organized after the said 1st day of October, 1862, except in those States and locations where the conscript law may be suspended.

SEC. 2. That the President be, and he is hereby, authorized and empowered, whenever in his opinion it would promote the public good, to receive into service regiments or battalions which have been heretofore organized of conscripts by a general officer in any of the States lying west of the Mississippi River.

SEC. 3. That all companies, battalions and regiments of infantry raised or organized before the first day of December next within the limits of middle and west Tennessee, to be composed of residents of said districts, may be accepted by the President, when in his opinion the public interest will be promoted thereby, and said troops shall be allowed to elect their own officers for the first election, after which all vacancies shall be filled by the President, under the act, and the acts amendatory of the same, providing for the public defence, passed sixteenth of April, 1862, and also such counties in North Carolina, lying east of the line of the Wilmington and Weldon railroad as are beyond the lines of the army, and exposed to the incursions of the enemy.

APPROVED October 11, 1862.

AN ACT to establish places of Rendezvous for the Examination of Enrolled men.

The Congress of the Confederate States of America do enact, That there shall be established in each county, parish, or district, and in any city in a county, parish, or district in the several States, a place of rendezvous for the persons in said county, district, parish or city, enrolled for military duty in the field, who shall be there examined by one or more Surgeons to be employed by the Government, to be assigned to that duty by the President on a day of which ten days notice shall be given by said Surgeon, and from

day to day next thereafter until all who shall be in attendance for the purpose of examination shall have been examined; and the decision of said Surgeons, under regulations to be established by the Secretary of War, as to the physical and mental capacity of any such person for military duty in the field shall be final; and those only thus ascertained to be fit for military duty in the field shall be required to assemble at camps of instruction.

SEC. 2. There shall be assigned to each Congressional District in the several States, three Surgeons, who shall constitute a Board of Examination in such district for the purpose specified in the foregoing section, any one or more of whom, may act at any place of rendezvous in said districts.

SEC. 3. When it shall appear, to any Surgeon attending such place of rendezvous, by the certificate of a respectable physician resident in that county, district, parish, or city in a county, parish, or district, that any enrolled person therein is unable to attend on account of sickness, it shall be the duty of said Surgeon to file said certificate with the commandant of the nearest camp of instruction, and if the person named therein shall not within a reasonable time report himself for examination at said camp of instruction, or his continued disability certified by the certificate of a respectable physician of his county, city, district, or parish, he shall be held liable as absent without leave of his commanding officer.

APPROVED October 11, 1862.

AN ACT to amend an act entitled "An Act to raise an additional military force to serve during the War," approved 8th of May, 1861, and to provide for raising Forces in the States of Missouri and Kentucky.

The Congress of the Confederate States of America do enact, That the first and second sections of the Act to which this is an amendment, are hereby declared to have full force and effect in those States and districts in which the President may, under the law, suspend the provisions of the Acts providing for the enrollment of persons for military service, or when said Acts cannot be enforced by reason of the occupation of the enemy: *Provided,* That the troops received under the sections of said Act, shall be received for three years or for the war.

SEC. 2. That the President may, in cases when in his opinion the public interest requires that he should do so, appoint Major and Brigadier-Generals with their appropriate Staffs, and also the field, company, and staff officers to regiments, battalions, companies, or squadrons, before the same are organized, by and with the advice

and consent of the Senate, and if said regiments, battalions, companies, or squadrons are not reported as complete within a reasonable time, the President may, in his discretion, vacate the commissions of said officers, who shall be entitled to the pay of their respective grades, from the date of their respective appointments until their commissions are vacated; and that companies of infantry, shall consist of at least one hundred and twenty-five, rank and file; and companies of artillery of at least one hundred and fifty rank and file, and companies of cavalry of at least eighty rank and file.

Approved October 11, 1862.

An Act amendatory of an act entitled "An Act providing for the granting of Bounties and Furloughs to Privates and Non-commissioned officers in the Provisional Army," approved December 11, 1861.

The Congress of the Confederate States of America do enact, That the above recited Act be so amended as to secure to all soldiers and non-commissioned officers who shall have entered the armies of the Confederate States for three years or during the war, the bounty of fifty dollars, as therein provided, although such soldier or non-commissioned officer may have been killed in battle, died, or been honorably discharged before the expiration of the first year's service of his term, to be paid as other arrearages.

Approved October 11, 1862.

An Act to amend an Act entitled "An Act for the organization of the Staff Departments of the army of the Confederate States of America," approved March 14th, 1861.

The Congress of the Confederate States of America do enact, That the first section of the act entitled "An Act for the organization of the Staff Departments of the army of the Confederate States of America," approved March 14th, 1861, be amended by adding to the Adjutant and Inspector General's Department, one Assistant Adjutant General with the rank of Colonel.

Approved October 8, 1862.

An Act to exempt certain persons from military duty, and to repeal an act entitled "An Act to exempt certain persons from Enrollment for service in the Army of the Confederate States," approved 21st April, 1862.

The Congress of the Confederate States of America do enact, That all persons who shall be held unfit for military service in the field, by reason of bodily or mental incapacity or imbecility, under rules to be prescribed by the Secretary of War; the Vice President of the Confederate States; the officers, judicial and executive, of the Confederate and State Governments, including postmasters appointed by the President and confirmed by the Senate, and such clerks in their offices as are allowed by the Postmaster General, and now employed, and excluding all other postmasters, their assistants and clerks; and except such State officers as the several States may have declared, or may hereafter declare by law to be liable to militia duty; the members of both Houses of the Congress of the Confederate States, and of the Legislatures of the several States, and their respective officers; all clerks now in the offices of the Confederate and State Governments authorized by law, receiving salaries or fees; all volunteer troops, heretofore raised by any State since the passage of the act entitled "An Act further to provide for the public defence," approved April 16th, 1862, while such troops shall be in active service under State authority: *Provided*, That this exemption shall not apply to any person who was liable to be called into service by virtue of said act of April sixteenth, 1862; all pilots and persons engaged in the merchant marine service; the president, superintendents, conductors, treasurer, chief clerk, engineers, managers, station agents, section masters, two expert track hands to each section of eight miles, and mechanics in the active service and employment of railroad companies, not to embrace laborers, porters, and messengers; the president, general superintendent and operators of telegraph companies, the local superintendent and operators of said companies, not to exceed four in number at any locality, but that of the seat of Government of the Confederate States; the president, superintendents, captains, engineers, chief clerk and mechanics in the active service and employment of all companies engaged in river and canal navigation, and all captains of boats and engineers therein employed; one editor of each newspaper now being published, and such employees as the editor or proprietor may certify, upon oath, to be indispensable for conducting the publication; the public printer, and those employed to perform the public printing for the Confederate and State Governments; every minister of religion authorized to preach according to the rules of his sect and in the regular discharge of ministerial duties, and all persons who have been and now are members of the society of Friends, and the association of Dunkards, Nazarenes, and Mennonists, in regular membership in their respective denominations; *Provided*, members of the society

substitutes or pay a tax of $500 each into the public treasury; all physicians who now are, and for the last five years have been, in actual practice of their profession; all shoe-makers, tanners, blacksmiths, wagon-makers, millers and their engineers, millwrights, skilled and actually employed at their regular vocation in the said trades, habitually engaged in working for the public, and whilst so actually employed: *Provided*, Said persons shall make oath in writing that they are so skilled and actually employed at the time as their regular vocation in one of the above trades, which affidavit shall only be *prima facia* evidence of the facts therein stated: *Provided, further*, That the exemptions herein granted to persons by reason of their peculiar mechanical or other occupation or employment, not connected with the public service, shall be subject to the condition that the products of the labor of such exempts, or of the companies or establishments with which they are connected, shall be sold and disposed of by the proprietors at prices not exceeding seventy-five per centum upon the cost of production, or within a maximum to be fixed by the Secretary of War, under such regulations as he may prescribe: *And be it further provided*, That if the proprietors of any such manufacturing establishments shall be shown, upon evidence, to be submitted to, and judged of, by the Secretary of War, to have violated, or in any manner evaded the true intent and spirit of the foregoing proviso, the exemptions therein granted shall no longer be extended to them, their superintendents, or operatives, in said establishments, but they and each and every one of them shall be forthwith enrolled under the provisions of this act, and ordered into the Confederate army, and shall, in no event, be again exempted therefrom by reason of said manufacturing establishments or employments therein; all superintendents of public hospitals, lunatic asylums, and the regular physicians, nurses and attendants therein, and the teachers employed in the institutions for the deaf, dumb, and blind; in each apothecary store, now established and doing business, one apothecary in good standing, who is a practical apothecary; superintendents and operators in wool and cotton factories, paper mills, and superintendents and managers of wool carding machines, who may be exempted by the Secretary of War: *Provided*, The profits of such establishments shall not exceed seventy-five per centum upon the cost of production, to be determined upon oath of the parties, subject to the same penalties for violation of the provisions herein contained as are herein before provided, in case of other manufacturing and mechanical employments; all presidents and teachers of colleges, academies, schools, and theological seminaries, who have been regularly engaged as such for two years previous to the

establishments of the Government for the manufacture of arms, ordnance, ordnance stores, and other munitions of war, saddles, harness, and army supplies, who may be certified by the officer in charge thereof, as necessary for such establishments; also, all artizans, mechanics, and employees in the establishments of such persons as are or may be engaged under contracts with the Government in furnishing arms, ordnance, ordnance stores, and other munitions of war: *Provided*, That the chief of the ordnance bureau, or some ordnance officer authorized by him for the purpose, shall approve of the number of the operatives required in such establishments; all persons employed in the manufacture of arms, or ordnance of any kind by the several States, or by contractors to furnish the same to the several State Governments, whom the Governor or Secretary of State thereof may certify to be necessary to the same; all persons engaged in the construction of ships, gunboats, engines, sails, or other articles necessary to the public defence, under the direction of the Secretary of the navy; all superintendents, managers, mechanics, and miners employed in the production and manufacture of salt to the extent of twenty bushels per day, and of lead and iron, and all persons engaged in burning coke for smelting, and manufacture of iron, regular miners in coal mines, and all colliers engaged in making charcoal, for making pig and bar iron, not to embrace laborers, messengers, wagoners, and servants, unless employed at works conducted under the authority and by the officers or agents of a State, or in works employed in the production of iron for the Confederate States; one male citizen for every five hundred head of cattle, for every two hundred and fifty head of horses or mules, and one shepherd for every five hundred head of sheep, of such persons as are engaged exclusively in raising stock: *Provided*, That there is no male adult not liable to do military duty engaged with such person in raising stock; to secure the proper police of the country, one person, either as agent, owner, or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to do military service, and in States having no such law, one person as agent, owner, or overseer, on each plantation of twenty negroes, and on which there is no white male adult not liable to military service: *And furthermore*, For additional police for every twenty negroes on two or more plantations, within five miles of each other, and each having less than twenty negroes, on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations; and such other persons as the President shall be satisfied, on account of justice, equity, or necessity, ought to be exempted, are hereby exempted from mil-

itary service in the armies of the Confederate States; also a regiment raised under and by authority of the State of Texas, for frontier defence, now in the service of said State, while in such service: *Provided, further*, That the exemptions herein above enumerated and granted hereby, shall only continue whilst the persons exempted are actually engaged in their respective pursuits or occupations.

Sec. 2. *Be it further enacted*, That the Act entitled "An Act to exempt certain persons from enrollment for service in the armies of the Confederate States," approved the twenty-first of April, eighteen hundred and sixty-two, is hereby repealed.

Approved October 11, 1862.

An Act authorizing the suspension of the writ of Habeas Corpus.

Section 1. *The Congress of the Confederate States of America do enact*, That during the present invasion of the Confederate States the President shall have power to suspend the privilege of the writ of habeas corpus in any city, town, or military district, whenever, in his judgment, the public safety may require it; but such suspensions shall apply only to arrests made by the authorities of the Confederate Government, or for offences against the same.

Sec. 2. The President shall cause proper officers to investigate the cases of all persons so arrested, in order that they may be discharged, if improperly detained, unless they can be speedily tried in due course of law.

Sec. 3. This act shall continue in force for thirty days after the next meeting of Congress, and no longer.

Approved October 13, 1862.

An Act to grant Commutation for Quarters to the Superintendent of the "Army Intelligence Office," and his Clerks, and to increase the compensation of said Clerks.

The Congress of the Confederate States of America do enact, That commutation in lieu of quarters be, and the same is hereby, allowed to the Superintendent of the "Army Intelligence Office" and his clerks, at the discretion of the Secretary of War, and under such regulations as may be prescribed by him, and that the extra pay allowed to said clerks shall be, and is hereby, increased from twenty-five to fifty cents per day.

Approved October 13, 1862.

AN ACT to regulate and fix the Pay of Cadets in the service of the Confederate States.

The Congress of the Confederate States of America do enact, That the pay of cadets in the service of the Confederate States shall be the same as Second Lieutenants of the arm of service to which they are attached.

APPROVED Oct 13, 1862.

AN ACT to relieve the Army of disqualified, disabled and incompetent Officers.

SECTION 1. *The Congress of the Confederate States of America do enact*, That whenever, in the judgment of the General commanding a department, the good of the service and the efficiency of his command require it, he is authorized, and it is hereby made his duty, to appoint an Examining Board, to be composed of officers of a rank at least as high as that of the officers whose qualifications it is proposed to inquire into, which board shall immediately proceed to examine into the cases of such officers as may be brought to their attention, for the purpose of determining their qualifications for the discharge of the duties properly appertaining to their several positions.

SEC. 2. *Be it further enacted*, That whenever such Examining Board shall determine that any officer is clearly unfit to perform his legitimate and proper duties, or careless and inattentive in their discharge, then the said Board shall communicate their decision, together with the full report of their proceedings in the case, to the General commanding the department in which the examination shall have been held, who shall, if he approve the finding of the board, be authorized to suspend the officer who has been pronounced unfit for his position, and shall immediately transmit to the Secretary of War the decision and proceedings of the Examining Board, with his own action and opinion endorsed thereon: *Provided*, That such officer shall be entitled to be heard, and to call witnesses in his defence.

SEC. 3. *Be it further enacted*, That the Secretary of War, if he approve the finding of the Board and the action of the General commanding the Department, shall lay the same before the President, who is authorized to retire honorably, without pay or allowances, or to drop from the army, as the circumstances of the case may warrant, and the good of the service require, the officer who has been found unfit for his position.

SEC. 4. *Be it further enacted*, That, in order to secure reliable information of the efficiency and competence of officers, it is here-

by made the duty of each officer commanding a regiment, separate battalion, company, battery, or squadron, to make to his immediate commanding officer, who shall transmit the same to the Brigadier General commanding, a monthly report in tabular form, a copy whereof shall be retained by the reporting officer, subject to the inspection of all officers interested therein, containing a list of all commissioned officers of such regiment, separate battalion, company, battery, or squadron, in which shall be stated the number of days each officer has been absent from his command with or without, or on sick leave; the number of times each officer has been observed to have been absent from his command, when on march or in action; when and where each officer has been observed to have performed signal acts of service; when and where negligent in the performance of duty, and inattentive to the security and economy of public property; printed blank forms of which said reports shall be furnished by the Secretary of War, for the use of the officers whose duty it is made to make such reports.

SEC. 5. *Be it further enacted*, That whenever any officer of a company, battalion, squadron or regiment shall have been dropped, or honorably retired, in accordance with the provisions of this act, then the officer next in rank shall be promoted to the vacancy, if competent, such competency to be ascertained as provided in the first and second sections of this act, and if not competent, then the next officer in rank shall be promoted; and so on, until all the commissioned officers of the company, battalion, squadron, or regiment, shall have been gone through with; and if there be no officer of the company, battalion, squadron or regiment competent to fill the vacancy, then the President shall, by and with the advice and consent of the Senate, fill the same by appointment: *Provided*, That the officer appointed shall be from the same State as that to which the company, battalion, squadron or regiment belongs: *And provided further*, That nothing herein contained shall be construed as limiting the power heretofore conferred upon the President by existing laws, to fill any vacancy by the promotion of officers or the appointment of privates "distinguished in the service by the exhibition of extraordinary valor and skill:" *And provided further*, That vacancies arising under the operation of this act, in regiments or battalions which were organized under the laws of a State for the war, or for a period not yet expired, shall be filled as in case of death or resignation.

APPROVED October 13, 1862.

AN ACT to authorize the grant of Medals and Badges of Distinction as a Reward for Courage and Good Conduct in the Field of Battle.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized to bestow medals, with proper devices, upon such officers of the armies of the Confederate States as shall be conspicuous for courage and good conduct on the field of battle; and also to confer a badge of distinction upon one private or non-commissioned officer of each company after every signal victory it shall have assisted to achieve. The non-commissioned officers and privates of the company, who may be present on the first dress parade thereafter, may choose, by a majority of their votes, the soldier best entitled to receive such distinction, whose name shall be communicated to the President by commanding officers of the company, and if the award fall upon a deceased soldier, the badge thus awarded him shall be delivered to his widow, or if there be no widow, to any relation the President may adjudge entitled to receive it.

Approved Oct. 13, 1862.

An Act to protect the Rights of Owners of Slaves taken by, or employed in, the Army.

Section 1. *The Congress of the Confederate States of America do enact*, That every person connected with the Army or Navy of the Confederate States, arresting or coming into possession of any slave by capture from the enemy, or otherwise than by lawful authority, shall immediately report the same to the commanding officer of the post, or brigade, or station to which he may be attached. The said commanding officer shall, with as little delay as practicable, send the slaves so reported to the nearest depot described in the next section, with a register of the place and date of their arrest: *Provided, however*, That the said slaves or any of them may at once be delivered to their respective owners, if claim is made and established on satisfactory evidence.

Sec. 2. The Secretary of War shall establish depots for recaptured slaves at convenient places not more than five in number in each State, and all slaves captured in such State shall be kept in such depots. Public notice shall be given of the places so selected.

Sec. 3. Lists of the slaves in each of such depots showing the name and color of such slaves, the place and time of their arrest, and the names of their owners as given by themselves, or otherwise ascertained, shall be regularly advertised in each State in one or more newspapers of general circulation.

Sec. 4. While such slaves are in depot, they may be employed under proper guard on public works; but no slave shall be removed from the depot to which they are first carried for at least

one month after the first advertisement of his being there, nor then, unless an exact register is made of the removal, and due advertisement made in the newspapers as aforesaid.

SEC. 5. Free access shall be permitted to all persons desiring to inspect the said slaves for the purpose of identifying them and establishing ownership, and upon due proof, they shall be immediately restored to the persons claiming them.

SEC. 6. It shall further be the duty of the Secretary of War to require the names of all slaves in the employment of an officer or soldier of the Confederate Army or Navy, with the names and residence of their owners, and of the person by whom hired out, and of the officer or soldier hiring, to be reported to his Department, and a full register thereof to be kept for public inspection.

SEC. 7. The President shall prescribe regulations for carrying this Act into effect, and provide for the subsistence of said slaves while in such depots.

APPROVED OCT. 13, 1862.

AN ACT to authorize the formation of Volunteer Companies for Local Defence.

The Congress of the Confederate States of America do enact, That for the purpose of local defence in any portion of the Confederate States, any number of persons not less than twenty, who are over the age of forty-five years, or otherwise not liable to military duty, may associate themselves as a military company, elect their own officers, and establish rules and regulations for their own government, and shall be considered as belonging to the Provisional Army of the Confederate States, serving without pay or allowances, and entitled, when captured by the enemy, to all the privileges of prisoners of war: *Provided*, That such company shall, as soon as praticable, transmit their muster roll, or a list of the names of the officers and privates thereof, to the Governor of the State, the Commanding-General of the Department, or any Brigadier-General in the State or Confederate service to be forwarded to the Secretary of War; but the President, or the commander of the military district may, at any time, disband such companies: *Provided*, That in the States and districts in which the Act entitled "An Act to further provide for the public defence," approved April sixteenth, eighteen hundred and sixty two, and the Acts amendatory thereof, have been suspended, persons of any age, resident within such States or districts, may volunteer and form part of such companies, so long as such suspension may continue: *Provided*, That no person shall become a member of said company until he shall have first taken the oath of allegiance to the Confederate

States of America in writing, a copy of which shall be filed with the muster roll of said company as above prescribed.

Approved October 13, 1862.

An Act to increase and regulate the appointment of General Officers in the Provisional Army.

The Congress of the Confederate States of America do enact, That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint twenty General Officers in the Provisional Army, and to assign them to such appropriate duties as he may deem expedient.

Approved October 13, 1862.

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